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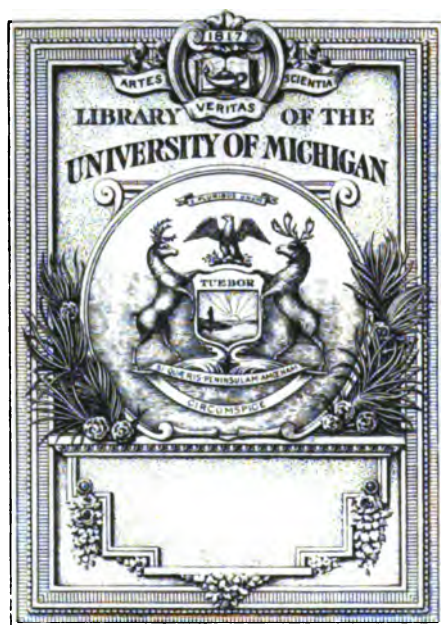
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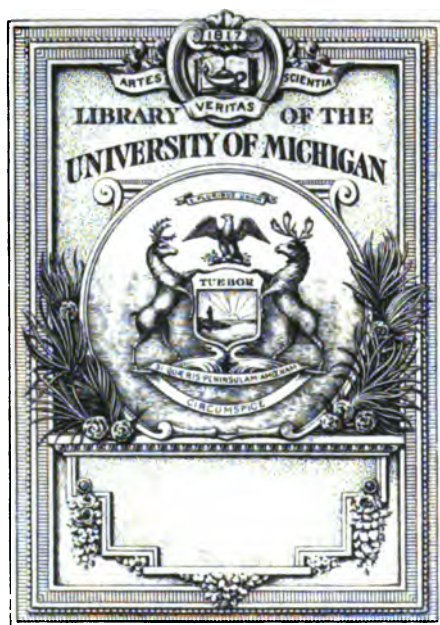
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**JOURNAL**  
OF THE  
**SENATE**  
OF THE  
**STATE OF NEW-YORK,**  
AT THEIR  
**FIFTY-THIRD SESSION,**  
BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF ALBANY,  
THE 5TH DAY OF JANUARY, 1830.



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1830.

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## JOURNAL OF THE SENATE.

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### STATE OF NEW-YORK:

SENATE CHAMBER, IN THE CITY OF ALBANY,

TUESDAY, JANUARY 5, 1830.

Pursuant to the fourteenth section of the first article of the constitution of the state of New-York, designating the first Tuesday of January for the time of the meeting of the Legislature, the following gentlemen, members from the eight senate districts of this State, appeared in the Senate Chamber, to wit:

*From the First District.*

John I. Schenck,  
Stephen Allen,

\*Alpheus Sherman,  
\*Jonathan S. Conklin.

*From the Second District.*

Benjamin Woodward,  
Walker Todd,

Samuel Rexford,  
\*Nathaniel P. Tallmadge.

*From the Third District.*

John McCarty,  
Moses Warren,

Lewis Eaton,  
\*William Deitz.

*From the Fourth District.*

Duncan McMartin, Jun.  
John McLean, Jun.

\*Isaac Gere.

*From the Fifth District.*

Truman Enos,  
Nathaniel S. Benton,

William H. Maynard,  
\*Alvin Bronson.

*From the Sixth District.*

Thomas G. Waterman,  
Grattan H. Wheeler,

John F. Hubbard,  
\*Levi Beardsley.

*From the Seventh District.*

William M. Oliver,  
Hiram F. Mather,

\*Thomas Armstrong.

*From the Eighth District.*

George H. Boughton,  
Moses Hayden,

\*Albert H. Tracy.



The several members elected at the last election in the eight senate districts of this State, whose names are designated with an asterisk, having taken and subscribed, before his honor REUBEN H. WALWORTH, Chancellor of this State, the oath required by law :

The Senate proceeded to choose, by ballot, a President pro tempore, and the ballots having been taken and counted, it appeared that WILLIAM M. OLIVER was duly elected ; and being conducted to the chair by Mr. McLean and Mr. Tallmadge, addressed the Senate as follows :

*Gentlemen of the Senate :*

The unexpected honor which you have conferred by electing me to preside over your deliberations, calls for my warmest gratitude ; and permit me to assure you, that this mark of your confidence and respect, will be gratefully remembered to the latest period of my life. The various duties resting upon me as President of the Senate, shall be faithfully, and I trust impartially discharged. Conscious of my inexperience, I shall confidently rely upon that friendship which you have hitherto shewn me, for favor and assistance, in the discharge of my arduous duties.

Having one common object in view—the happiness and prosperity of that people who have confided their interest to our deliberations, it should be our pride, as well as our duty, to devote our time and talents, with the most untiring industry, to their permanent welfare. The consideration, that we have in some measure contributed to the prosperity of the state, can alone repay us for the labours which we are called upon by our station to perform.

This free republic is not exempted from party struggles. To the great republican party of the state and nation, I am firmly attached, believing that on its ascendancy depends, in a great measure, the safety of our free institutions.

I shall deem it my duty to contribute, on all proper occasions, to its prosperity.

I trust that no consideration will induce me to depart from an impartial discharge of the duties which my elevation to this station have imposed upon me.

Thereupon,

*Ordered*, That Mr. Todd and Mr. Allen wait upon his Honor the Lieutenant-Governor, and inform him that the Senate are met, have chosen the Hon. William M. Oliver President pro tempore, and are ready to proceed to business.

*Ordered*, That Mr. Benton and Mr. Eaton wait upon the Assembly with the like message.

A message was received from the Assembly, delivered by Mr. Mann and Mr. Bradish, informing, that they were organized and ready to proceed to business.

Mr. Todd reported that Mr. Allen and himself had waited upon his Honor the Lieutenant-Governor, and delivered the message of the Senate, when he was pleased to say, that as soon as he received a similar message from the Assembly, he would transmit a message to both branches of the Legislature.

Mr. Benton reported that Mr. Eaton and himself had waited upon the Assembly, and delivered the message of the Senate.

A message from his Honor the Lieutenant-Governor, delivered by his private secretary, was received, and read in the words following, to wit:

**GENTLEMEN OF THE SENATE, AND OF THE ASSEMBLY :**

IN compliance with the constitution, I proceed to lay before you the condition of the State, and to suggest for your consideration such matters as I deem conducive to its welfare.

In looking back upon the past year, we see abundant reason to be thankful to Almighty God, for having spared us from the ravages of disease, for having prospered the industry of the country, and for having made us conscious of our national advantages, and content with our condition.

Although in some sections of the State an unusual excitement has prevailed, I am happy to have it in my power to say, that it has not originated in a desire to change our constitution, or in a distrust of the integrity of our laws; but in an honest zeal, overflowing its proper boundaries, misdirected in its efforts, and carrying into public affairs matters properly belonging to social discipline. Such feelings cannot long exist beyond the limits of their proper sphere of action; and it is a source of gratification, that in this instance they give evidence of speedily subsiding into their natural and healthful channel.

One of the most important incidents to a government resting upon the public will, and peculiar to it, is the constant observation of the public eye, and its rigid scrutiny into the conduct of public functionaries; tending to keep them within the limits of their authority, and in the active performance of the duties pertaining to their important trusts. No officer is so high or so humble, as not to be awed by its presence, or to be made conscious of its power. This searching operation is prompt to detect abuses, to discover impure motives, and to expose offenders to the corrective tribunal. Our fellow-citizens are sufficiently enlightened to know all the advantages they enjoy under the government of their choice; they have manifested an increasing attachment to it, and have been conspicuously auxiliary in supporting the laws and constituted authorities, and in promoting measures for improving the condition of the State.

From the period of the adoption of the constitution of the United States, we have progressed in testing the federal system, with cautious steps, under the guidance of instructed public sentiment; and although doctrines have, from time to time, been honestly advanced, and incipient measures taken, at variance with constitutional restrictions, and deemed adverse to the true interests of the people, they have found a prompt corrective in the public voice. During the present Administration, the sound sense, enlightened views, and ardent patriotism of the Executive, leave no room to doubt, that the known landmarks of the Constitution will be respected, that the sovereignty of the States will not be violated, and that measures, warranted by plain constructions only, will be pursued in direct reference to the public good.

We are, happily, at peace with all the world ; and relying upon the spirit of justice which has always dictated our dealings with other nations, and continues to influence our national councils, we have great reason to hope that all causes of complaint against foreign powers will be amicably removed, and that we shall not soon be called upon to rally around our national head to enforce our just claims, or resist unjust aggressions. In a state of peace, the financial resources of the general government greatly exceed the amount required for its ordinary expenses ; and under a system of strict economy, and with a due regard to so desirable an event, our national debt, which was incurred during the revolutionary and late wars, will, in the course of five or six years at most, be extinguished. Our government will then present a new claim to the affections of its citizens, and to the admiration of the world, founded upon the novel spectacle of a great nation paying off a great national debt.

In the course of my administration, I have been repeatedly called upon to exercise the constitutional power of pardoning convicts. The painful duties connected with that trust, I have endeavored to perform with a due regard to the objects of punishment ; and I have, in many instances, been compelled to resist the most earnest and affecting appeals to my sympathy, supported often by petitions signed by the most intelligent citizens, and those whose official stations have given them the best opportunities of knowing the unworthiness of the suppliants. During the past year, there have been four convictions for murder, in each of which executions have taken place : But I have pardoned from the state prison, twenty-eight convicts. Nearly all those pardons were granted in cases, where ; first, great doubts of guilt were certified to me by the courts before whom the convictions took place, and those doubts appeared to me to be well founded, on examining a full statement of the cases ; secondly, on personal examination, and inquiry of the keepers of the prison and the presiding judges, as to certain convicts for whom petitions had not been presented, I deemed them fit objects of mercy ; and thirdly, from want of sufficient latitude of discretion in the courts, sentences too severe were necessarily imposed.

The punishment of criminals is one of the most interesting subjects which can engage the attention of the Legislature ; and although our criminal code has been recently very ably revised, and its features much softened, yet I consider it my duty to bring it again to your notice. We have been gradually relaxing the severity of punishments, until our laws relating to them have a decided character of mildness ; still it behoves us to consider, whether the great objects of punishment will not be better attained by farther mitigations.

We derive our classification of crimes from the English laws ; and many of their distinctions have arisen from the state of society, and the structure and peculiar policy of that government. It is a serious question, whether the moral turpitude of crimes, or the policy of the government, requires that the existing artificial gradations should continue to influence, to their present extent, the punishments prescribed for them.

Our revised code imposes the punishment of death for arson of the first degree ; and empowers the court to imprison for life, for

certain kinds of rape, mayhem, attempt to poison, arson, burglary, forgery, robbery and murder. I submit to your consideration, whether the punishment by death ought to be extended beyond the crimes of treason and murder; and whether it is politic to imprison for life in any case, except on second conviction. I am persuaded, from observation, that a period of ten years' imprisonment in our best regulated state prisons, is, in most cases, sufficient to subdue the moral, mental or physical faculties of the most obdurate man. An imprisonment for life is rarely, if ever, where the convict's life is not near its natural close, or unexpectedly terminated, carried into effect. The public sympathy becomes awakened in behalf of the most atrocious life convict; and if he is imprisoned on a first conviction, pious and humane hopes are entertained that he is a renewed man, and that the discipline of the prison has purified his heart, and corrected his evil propensities. These considerations are urged with zeal for his pardon, after a brief imprisonment, and have been so far successful, that I can assert from an inspection of the prison books, that there are now in the prison at Auburn comparatively few of that class of convicts, who have served a longer period than five years.

One of the great objects of punishment, is the reformation of the offender. It has been the hope of the philanthropist, and I indulge the belief that it has now become, to a certain extent, the feasible object of the legislator. An amount of punishment which will receive the sanction of public feeling, executed to its full extent, will have a more salutary effect in restraining crime, than greater severity, which enlists public sympathy into the service of those combined outlaws, who make it a part of their operations to procure pardons for their associates in crime. We can indulge but a faint hope of reformation in one, who has suffered a term of punishment in a state prison, without correction of his evil propensities; and the public owes it to the safety of the citizens, to shut out from the world, in most cases for life, those who are returned to prison on second convictions.

As intimately connected with this subject, I earnestly solicit your attention to the condition of our county gaols, and the punishments for petty offences. The greatest defect in our former mode of treating state convicts, was the necessity of imprisoning them, of all ages and grades of crime, in the same room, whereby they mutually contaminated each other; and those who entered fresh in crime, came out adepts in all the arts of mischief. Success has crowned our efforts to correct this evil in our state prisons, by means of separate dormitories, and associated silent labor; but our work will be incomplete until our county gaols cease to be the primary schools of vice. As they are now constructed, the novice, the youthful transgressor, and the merely suspected, are crowded into rooms with the petty convict, the old marauder, the confederate, and the graduate of many prisons. Secluded from observation, and compelled to be idle, they indulge in wicked discourse, and such social vices as are within their means of enjoyment: Here, the arts of accomplishing deeds of villany are communicated, and illustrated by tales of adventures, and all the captivating minutiae of heroic and eventful

lives, until the novice becomes initiated in the mysteries of crime, and waits impatiently for an opportunity to commence a career of wickedness. I submit to your consideration the propriety of enlarging the provisions of the Revised Laws, so as to prepare the way for executing a plan of separating offenders, confined in county prisons on sentences, from those who are committed on suspicion; providing separate dormitories for all; and for the regular daily employment of convicts at some useful trades. By these means, the county expenses of prisons, as well as the amount of crime, would be very much diminished.

The expense to counties, under our present system of supporting convicts in county gaols, is very considerable; and those who have had experience in the proceedings of criminal courts, know, that very inadequate punishments are frequently inflicted for misdemeanors, in consideration of the burdens which a protracted imprisonment imposes.

The convictions for petit larceny, second offence, are very numerous, and constitute a large proportion of the inmates of our state prisons. There are now in the state prison at Auburn eighty-one of that class of convicts (a great proportion of them boys, from twelve to twenty years of age, and blacks, male and female) out of six hundred and twenty-seven—the whole number confined there; and fifty-seven out of five hundred and eighty-four, the whole number of convicts now in the state prison at Sing-Sing. Persons are convicted, a second time, for trifling larcenies, and often sent to the state prison, it is believed, to relieve a neighborhood of a pauper, or of an idle or troublesome person. Should they be included within county arrangements, it might save the state much expense hereafter, in the multiplying or enlarging our magnificent and costly edifices for state convicts.

The evils of county gaols, to which I have alluded, are more apparent in our large cities, where great numbers of all conditions are huddled together in an atmosphere most pestilential in its physical and moral effects. The experiment for remedying these evils, might be made there, and the propriety of extending the principle to other counties, or several associated counties, determined. So far as relates to the punishment of petty convicts, the city of New-York has already erected a building upon this plan.

I advert with great satisfaction to the high state of improvement, and prosperous condition, of our state prisons. That at Sing-Sing is not yet finished, but the prison at Auburn has been in operation a sufficient time to enable us to judge of the influence of our system of prison discipline in reforming offenders, and its bearing upon the finances of the state. The reputation which this system has already acquired, not only with our sister states, but in Europe, is a matter of just state pride; and should stimulate us to further endeavours to aid the cause of humanity at large, by the influence of our example. The radical vice of old prisons is corrected in the plan of our buildings, which are constructed with a separate dormitory for every convict. Workshops are built in long lines. The convicts are employed, during the day, at all the various mechanic arts; and each man may be put to that business which suits his capacity, his health, and

former habits of life. They are kept in small companies, constantly under the eye of a keeper, who has charge over them from the time they leave their cells in the morning, until they are returned to them in the evening. A secret avenue surrounds the workshops at Auburn, where, by the means of small glass openings, each convict, as well as the keeper over him, may be seen at any time. Through this avenue, strangers are constantly introduced to see the convicts, and the superior keepers patrol them at pleasure, without the convicts or subordinate keepers being conscious of their presence. The convicts are provided with all the necessaries of life, subjected to reasonable hours of labor, not suffered to speak during the day, and returned at night to solitude and darkness, to reflect upon their past misspent life, and form resolutions for future amendment.

To aid these operations of the mind, the ignorant are instructed by means of suitable schools, and a minister of the gospel, supported by the state, employs portions of his time in visiting and conversing with the convicts, at their cells, and performing divine service with them collectively, at stated times. They enjoy, by regular and suitable alternations of labor and rest, all the comforts which are compatible with their condition. They exhibit a remarkable appearance of health, and work with industry and apparent cheerfulness.—These are the powerful means which are brought to bear upon their reformation, and produce a submissive and penitential state of feeling.

From the old, and long practised culprit, it is vain to expect reformation, by human means; but the inquiries which have been judiciously and extensively made, to ascertain the effects of our prison discipline upon those who have been subjected to it, have resulted in establishing the fact, that nearly all who were young, and convicted for first offences, or whose crimes have proceeded from ignorance, intemperance and idleness, have become useful members of society.

The experience of the prison at Auburn, also shows, what has been reasonably doubted heretofore, that the labor of the convicts may be made to supply the expenses of the establishment. During the last three or four years, the earnings of the convicts have produced a surplus, after paying for the supplies and government of the prison; and it is fair to infer, that hereafter the funds of the state will be relieved from that, hitherto, most oppressive burden.

It, however, must not be forgotten, that very much of the success of these establishments depends upon the ability of the persons placed at their head. Thus far the state has been exceedingly fortunate in being able to command the services of gentlemen of the highest respectability and talents.

To preserve what is good, to correct what is evil, to amend where errors have been committed, to know that the officers of the prison are faithful, and that the commissioners and inspectors are attentive and discreet in all things entrusted to them, and to make the two institutions conform to each other, and to place both on the best foundations, I conceive there is a manifest propriety in the legislature appointing, from time to time, a committee from their body to visit both prisons. I recommend it at this time with the more confidence, because it is not a new measure, two such committees having been

heretofore appointed, and because the Sing-Sing prison will soon be finished and placed under a new discipline.

Among the preventives, as well as correctives, of crimes, may be placed many of those charitable institutions which owe their origin to the enterprize and liberality of benevolent individuals, with timely contributions on the part of the state. In these efforts, the city of New-York, containing within itself, as well abundant objects of charity, as a great proportion of the population, intelligence, benevolence and wealth of the state, is proudly conspicuous. The infant schools, orphan asylum and house of refuge, are among the most useful of these institutions.

The infant schools are of recent introduction, and although the means of the society are not adequate to the wants of that portion of the destitute who are the objects of their care, yet sufficient has been done to prove its exceeding usefulness. This noble charity is looked upon with great interest by those who feel for suffering humanity, and who have enlightened notions of the effects of early impressions upon the human mind. They receive into these schools the children of the poorest class of the city population, who would probably be overlooked in the great mass of human beings, and be suffered to grow up in ignorance and vice, but for that active charity which seeks to do good. Children are received at the early age of eighteen months, and taken care of during the day, while such of their mothers as are well disposed, pursue their daily labors. None but those who have witnessed the discipline of these schools and its effects, can have an adequate idea of the amount of useful knowledge which can be conveyed, by an ingenious and novel mode of instruction, into the minds of these small children. It is to be hoped that the attention of humane individuals will be more effectively directed to this subject, and that by their contributions, and suitable aid from the legislature, the amiable ladies who have these institutions in charge, may be enabled to extend their care to all who are in a condition to need it.

Benevolent institutions of this kind, properly belong to our great towns. In the country and smaller towns, individual distress becomes known, and is relieved by individual exertions; and there are not usually a sufficient number of persons at leisure, to conduct schools of this description.

Of the same character, and equally creditable to the ladies who patronise and direct it, and equally deserving of public encouragement, is the Orphan Asylum in the city of New-York. Children who are destitute of parents, friends and home, are sought out and placed there, where their natural wants are provided for, and they are instructed in the elements of learning and the principles of good behaviour, until they are of sufficient age to be bound out to proper service.

The House of Refuge was established by an association for the reception of juvenile vagrants and delinquents, and receives minor convicts from every part of the state. They are there kept under a strict and wholesome discipline, and are instructed in trades, and in the rudiments of education, until they are sufficiently reformed to be bound out or discharged.

These institutions, together with the several kindred establishments in other cities and large towns, many of which are entitled to equal commendation, and the numerous charity and Sunday schools throughout the state, are exerting a great power in the prevention of pauperism and crime. In this country, where labor is well rewarded, and the means of comfortable, nay luxurious subsistence, are within the reach of every one not disabled by disease or old age, it is manifest that the greater part of pauperism and crime results from idleness and intemperance, and that want of instruction and bad example are the primary causes of these vices. The institutions which I have noticed, strike at the root of the evil. Most of them have been liberally patronized by the state, and some of them have received all the aid which their exigencies demand.

Among the numerous other charitable institutions which adorn the city of New-York, those for the education of the deaf and dumb, and for the care and restoration of insane persons, stand conspicuous. They have been cherished by the legislature, and will not cease to be interesting objects of its regard. But it is deserving of consideration, whether the poor of the latter class are sufficiently provided for by our laws.

By the census of 1825, it was ascertained that there were at that time, eight hundred and nineteen insane persons in this state. Of these, two hundred and sixty-three were of sufficient ability to pay for their own support; two hundred and eight were in gaol or supported by charity; leaving three hundred and forty-eight insane paupers at large, a terror to others, and suffering, in addition to mental derangement, all the privations attending penury and want. The condition of those under poor-house regulations, or confined in gaols, is, if possible, worse. No person of sensibility can look upon those sufferers, in their small cells, surrounded by a bad atmosphere, sometimes chained to the walls, and witness their dejected or wild despairing looks, or frantic madness, without a feeling of horror. No restoration can be hoped for under such circumstances; indeed the instances are not rare, of persons slightly deranged, becoming incurable maniacs by these injudicious means. The contrast of their condition, with those in the Lunatic Asylum in New-York, is very striking. In the latter place, every thing is spacious, cleanly and pleasant to the eye—the inmates are suffered to be at liberty, and range in the open air, in an enclosed yard—they are treated with kindness, and their innocent whims indulged. The consequence is, that many who are placed there, are restored to reason, and discharged after a short period, to enjoy the society of their friends. It speaks much in favor of the ability of the keepers, attendants and superintendents of that interesting institution, that during my visit there last summer, but one out of sixty or seventy, then under their care, was in close confinement.

But that institution is not designed for general charity. It receives those only who are able to pay for their support, and such paupers as are sent by the authorities of the several towns, and paid for out of the poor fund, at a certain price, stipulated by law. I submit to your consideration, the propriety of establishing an asylum for the gratuitous care and recovery of that most destitute class



of the human family, who are suffering from a darkened understanding and the evils of poverty at the same time. While roaming at large, they are dangerous to the personal safety of the citizens, and many crimes of the deepest dye, have been excused, on the plea of mental alienation. The ties of natural affection frequently impel relatives who are struggling with poverty themselves, to afford that relief which is a public rather than a private duty.

Our poor laws, originally founded upon the English system, were pregnant with all its evils. Conflicts between towns, relative to the settlement of the poor, were accompanied by expensive litigations; paupers were suffered to idle at private lodgings; and those whose decrepitude demanded care and kindness, frequently suffered from neglect and cruelty, without the means of redress.

A few years since, an entire revision of the system took place. Counties were authorised by law to purchase farms, and erect houses upon them, for the reception and employment, so far as they were able to work, of all the poor of the county. The distinction between county and town poor, and all the regulations for the transportation and settlement of the poor, were abolished. Many counties have made the experiment, and I am persuaded, that the tendency of the new regulations has been to keep idlers away from situations where they are exposed to a rigid superintendence, and compelled to work: to provide better for the sick and disabled; and to lessen very much the expense of supporting the poor. The reports, which the revised laws require the county superintendents to make to the secretary of state, I hope will present such a favorable view of the new system, as to induce the legislature at no distant day, to render the adoption of it imperative upon all the counties.

A sense of the importance of common education, has been strongly manifested by the legislature, in setting apart an ample fund for that purpose. An enlightened people will not live under a government where their rights are unnecessarily abridged; and a free government cannot be maintained by an ignorant population. The enlightened mind, while it discerns the truth, looks with indulgence upon the errors of opinion, religious, political or social, which others may entertain; and in our government, where every measure depends upon the public voice, our reliance must be placed upon the general intelligence of the people, for exemption from those civil disorders which have put a short period to the duration of free governments, in whatever other nation or time they may have existed. But I need not press this subject.

The capital of the common school fund consists of one million six hundred and sixty-one thousand and thirty-one dollars, in stocks and other securities; and eight hundred and thirty-nine thousand acres of land. The productive fund is augmented annually, by the sale of those lands, and sufficiently to meet the increasing demands upon it. I regret to say, that the principal of the fund has sustained a diminution, during the past year, of fifty thousand dollars, by the failure of the Middle District Bank. The revenue for distribution the ensuing year, is estimated at one hundred and nine thousand nine hundred and eighty-one dollars.

The common school system is yet in its infancy : and as the attention of the legislature will be constantly directed to it, as one of the primary interests of the state, the defects which experience points out will in time be remedied by their wisdom. The returns for the past year shew, that school districts have been organized in almost every neighborhood in the state, amounting in the whole to eight thousand eight hundred and forty-seven ; and that eight thousand two hundred and seventy have made returns according to law. Two hundred and thirty-eight new districts have been formed ; and the districts which have made returns, exceed by one hundred and six those of the previous year. The aggregate number of children over five and under sixteen years of age, in the districts which have made returns, is four hundred and sixty-eight thousand two hundred and fifty-seven ; and four hundred and eighty thousand three hundred and twenty-five children have been taught an average time of eight months during the year. The increase of children between the ages of five and sixteen, in the same districts, is nineteen thousand one hundred and forty-four ; and the increase in the number instructed, is twelve thousand one hundred and twenty.

The public money paid to the school districts during the past year, is two hundred and fourteen thousand eight hundred and forty dollars. Of this sum, one hundred thousand dollars was paid from the revenue of the school fund ; and the residue was derived from a tax upon the towns, and particular funds possessed by some of them. In addition to this amount, there has been paid in the several districts, two hundred and ninety-seven thousand and forty-eight dollars ; making a total of five hundred and eleven thousand eight hundred and eighty-eight dollars paid for teachers' wages alone, in the common schools of the state.

The want of competent teachers is a difficulty which has always been experienced, and still exists. To devise a remedy, is well worthy of further efforts. The course of education might be advantageously varied under competent teachers, by introducing among the early studies of children, those elements of the natural sciences, which are easily comprehended by means of sensible illustrations, and which impart a knowledge of things useful in agricultural and mechanical pursuits.

Our state has not been unmindful of its institutions for instruction in the higher departments of literature. The revenue from a literature fund is annually distributed to our academies ; and of our four colleges, three have been amply endowed. Those in New-York and Schenectady continue in a flourishing condition ; and that at Clinton, in Oneida county, exhibits symptoms of reviving energies. The college at Geneva, which has received no other favor from the state than its charter, has been laboring under peculiar difficulties for the last two or three years ; but hopes are entertained that it will recover, and it has at this time an increased number of students. The classical learning taught in these seminaries is a useful preparation for the learned professions, polishes and refines society, and sheds a lustre upon the country. As its attainment is generally sought by the more wealthy, it does not need that fostering care of the government, which is indispensable to the dissemination of

common learning, yet no wise government will be inattentive to its wants. I notice with peculiar pleasure the various private schools for instruction in the higher branches, established by individual enterprise, in several parts of the state. They ask no aid from the government; are generously patronized by the public; and are, for the most part, conducted by gentlemen of high characters and great literary attainments. Their multiplication and success afford evidence that the profession of teaching is taking that elevated rank in society, to which it is entitled by the importance of its duties.

Our medical colleges, established by the authority of the state, at Fairfield and New-York, continue under the care of learned and talented professors, and are rising in the public estimation. At Fairfield there are now one hundred and sixty students attending lectures; one hundred and thirty-eight of that number are from various parts of this state, eight from the New-England states, nine from Canada, three from Pennsylvania, one from North Carolina, and one from New-Jersey. The whole number at New-York is one hundred and seventeen. Under judicious regulations, and the protection of the state, there is reason to believe that the usefulness of these colleges will increase, and that they will speedily rival the most flourishing institutions in the country.

The great interests of agriculture and manufactures, have strong claims upon your attention. A state of the world is fast approaching, if it has not already arrived, in which it will be necessary for us to supply our wants by our own industry. International commerce will be restricted to fewer, or other articles; and our pursuits must necessarily be more diversified. To increase the variety of productions, and thereby enlarge the materials for internal trade, is an object worthy of the paternal care of the government. Our soil and climate are adapted to the cultivation of many articles of great commercial value, which have not hitherto come within the range of agricultural operations, for want of a knowledge of the process for producing them. The most important of these are the articles of silk, wines and hemp. They have all been partially attempted in this latitude of our country, with great success.

Among the matters of interest relating to this subject, and which promise to satisfy the desires of those patriotic individuals, who have labored to introduce more science into practical agriculture, I notice, with pleasure, the dawnings of a scientific agricultural education. A school for that purpose is established in Oneida county, which has placed itself in the class of literary institutions under the care of the regents of the university. Students are there instructed in scientific and practical agriculture; are compelled to go through all its manual operations, and pay for their instruction by their labor. A principal, similar in some respects, is introduced into the polytechny at Chitteningo, founded by and under the superintendence of Doctor Yates. In his school, which is designed to carry a pupil through all the sciences, he has provided for the instruction of such youth in the principles of husbandry, and other branches of education, as will volunteer to labor for their tuition and support. It is also deserving of notice, that he has admitted the students to a share in the government of his school. He has established a mini-

ature legislature for passing laws, and courts for trying offenders, where all the forms of election, legislation and judicial proceedings, are observed. The students are represented in one branch of their legislature; the faculty form another, and the principal has a veto. A judge is appointed from among the officers, to preside in the court, for the trial of offences against their laws, with an appeal from the decisions of the court to the faculty and principal.

The general fund, on the 30th day of November 1828, consisted of the following items, to wit :

|   |                       |
|---|-----------------------|
| Canal stock bearing an interest of 5 per cent, .....                              | \$280,000 00          |
| Bank stock, (deducting \$15,000 lost by the failure of<br>the Hudson bank,) ..... | 112,740 00            |
| Bonds and mortgages for lands sold, .....   | 818,826 00            |
| Do for loans to individuals and others, .....                                     | 395,100 00            |
| Do for sundry debts due the State, .....  | 23,319 00             |
| Total, .....  | <u>\$1,629,985 00</u> |

The estimate of revenue from this fund, for the year ending 30th November 1829, was \$172,550, including the following items, which were not revenue, but capital, to wit :

|   |                  |
|---|------------------|
| Principal to be received on bonds and mortgages on lands<br>sold, ..... | \$30,000 00      |
| Do on loans, .....  | 20,000 00        |
| To be received on first payment for lands, .                            | 5,000 00         |
|   | <u>55,000 00</u> |

Leaving the estimate of income, only ..... \$117,550 00

The estimate of expenses for the same year, ending November 30th, 1829, was ..... 291,500 00

Thus it appears that the expenses of that year, as estimated, would exceed the income of the general fund 173,950 00

To meet the claims upon the treasury, and the expenses of the government for the year 1829, the canal stock belonging to the general fund (\$280,000) has been sold; and that fund is indebted to the literature and school funds to the amount of \$158,365.

The amount of bank stock has been also diminished \$20,000, by the failure of the Columbia bank, during the past year; as it is supposed that the capital of the bank has been entirely lost.

The items which now compose the general fund, are :

|   |                  |
|---|------------------|
| Bonds and mortgages for lands sold, ..... | \$806,813 00     |
| Loans to individuals and others, .....    | 386,895 00       |
| Sundry debts due the State, .....         | 23,319 00        |
| And available bank stock, .....           | <u>92,740 00</u> |

Making the total amount of the productive capital of the general fund, ..... \$1,309,267 00

There is also about 120,000 acres of land belonging to the general fund ; but most of this land has been bought in for taxes, and is of little value. About 26,000 acres is all from which the State can expect to receive avails, in aid of the treasury.

The State owes no debt, except on account of the canals.

The ordinary expenses of the government for the ensuing year, are estimated at two hundred and sixty-four thousand dollars ; to which is to be added one hundred and fifty-eight thousand three hundred and sixty-five dollars and fourteen cents, the amount due from the general fund to the literature and common school funds ; making an aggregate of four hundred and twenty-two thousand three hundred and sixty-five dollars and fourteen cents. The means to meet these demands, consist of the avails of the contemplated sales for taxes, interest payable on bonds and mortgages, miscellaneous sources of revenue, and the balance in the treasury, the whole of which are estimated at three hundred and six thousand three hundred and ninety-three dollars and fifty-six cents ; shewing a deficit of one hundred and fifteen thousand nine hundred and seventy-one dollars and fifty-eight cents. To meet which, resort may be had to the sale of the bank stock, ninety-two thousand seven hundred and forty dollars, and so much of the principal of the bonds and mortgages as can be collected.

On the 30th November 1826, the general fund amounted to ..... \$2,637,936 00  
And the balance in the treasury on that day, including the last receipt into the treasury from the half mill tax, (amounting to \$147,534,) applicable to the ordinary expenses of the government, was..... 264,246 00

This balance was reduced on the 30th of November 1827, to the sum of \$115,028 : Showing a consumption that year, beyond the revenue arising from the general fund received into the treasury, of \$149,218.

The deficiencies in the revenue since the year 1827, have been supplied, solely, from the balance then in the treasury, and by the consumption of the principal of the general fund.

On the 30th November 1828, the balance in the treasury had been expended ; \$20,000 of the canal stock, belonging to the general fund, had been sold and expended ; and the treasury was indebted \$68,837, for the expenses of the preceding year.

The consumption in the year 1828, beyond the receipts into the treasury, was as follows, to wit :

|   |              |
|---|--------------|
| Balance in the treasury 30th November, 1827,..... | \$115,028 00 |
| Canal stock sold, .....                           | 20,000 00    |
| Claims upon the treasury, .....                   | 68,837 00    |
| Making.....                                       | \$203,865 00 |

From the above causes, and by legislative acts in 1827, transferring  
 Canal stock to the literature fund, ..... \$150,000 00  
 Bank stock to the school fund, ..... 100,000 00  
 The balance of the loan of 1786 to ditto, ..... 33,616 00  
 By the sale of the Seneca lock navigation stock, ..... 23,218 00  
 And by the receipts of the principal of debts for lands sold, 32,427 00

Total, ..... \$339,261 00

And by the subsequent receipts of the principal of debts, the general fund is now reduced as above stated, to the sum of one million three hundred and nine thousand two hundred and sixty-seven dollars ; leaving claims upon the treasury for the balance of expenditures for the last year, to a considerable amount.

By the foregoing brief view of our finances, it will be seen that the general fund is rapidly diminishing ; that our reliance for meeting future calls upon the treasury, to defray the current expenses of the government is principally upon the government debtors ; and that an active collection of those debts must be immediately commenced. If taxation is delayed a few years, the general fund will be entirely exhausted, and it will be necessary then to provide by tax, for the whole amount of the annual expenditures.

I have thought it my duty to lay this statement of the condition of the treasury before you, for the purpose of submitting to your consideration, whether it is good economy, whether it is compatible with the duty which the government owes to a progressive improvement of the condition of the state, to exhaust the general fund, and rely, in future, entirely upon direct taxation for the means to defray the annual expenses of the government, to give effective aid to necessary charities, to advance the interests of knowledge, to multiply the objects of industry, to facilitate the means of internal communication and commerce, and to perform those other acts of sovereignty which a government owes to the prosperity of its citizens and to its own glory.

This is an interesting crisis in the affairs of our state, and a heavy responsibility rests upon the present, and upon the immediately succeeding legislatures. Our funds are diminishing to a point, while an extensive view of great national prosperity is opening upon us. We may enter and possess ourselves of its realities, or by a timorous, hesitating and narrow policy, it may pass by us as an unsubstantial vision.

Our state has doubled its population within the last twenty years, and has quintupled since 1790. In that year it formed less than a tenth of the population of the United States ; it now forms a seventh : thus showing that it has increased in population beyond all example, and more rapidly than its proportion of the astonishing increase of the population of the United States. Although, like its sister states upon the Atlantic border, it is pouring its thousands and tens of thousands into the great central valley of the west, its own increase has not been materially retarded. It has now a population not far from one million nine hundred thousand, and is capable of sustaining at least eight millions of souls. And when we contemplate those

changes in the pursuits of industry, which tend to compress us into more dense communities, and consider our capacities for abundant productions within a small compass, in the fertility of our soil, in the riches of our mines, and in our hydraulic facilities, we have great reason to believe, that the time is yet distant, when, under a judicious administration of affairs, a decline in the ratio of increase of wealth and population will be discernible. Is it not our duty, by a wise forethought, to lay the broad foundations of a policy, adapted not only to our present condition, but fitted to sustain the state in her future progress to a glorious maturity?

A system of progressive improvements, by means of rail-roads and canals, has become engrafted upon the policy of our state, and should be kept steadily in view. The benefits which their construction will confer, depends upon the prudence of the legislative enactments concerning them.

The canal debt, on the 1st day of January 1829, amounted to the sum of..... \$7,940,155 00  
Erie and Champlain canal debt—

|                            |                    |
|----------------------------|--------------------|
| In 6 per cent stock, ..... | \$2,343,500 00     |
| 5 do .....                 | 4,409,665 00       |
|                            | <hr/> 7,353,155 00 |

Oswego canal debt—

|                            |            |
|----------------------------|------------|
| In 5 per cent stock, ..... | 437,000 00 |
|----------------------------|------------|

Cayuga and Seneca canal debt—

|                            |            |
|----------------------------|------------|
| In 5 per cent stock, ..... | 150,000 00 |
|----------------------------|------------|

|                                 |                |
|---------------------------------|----------------|
| Making the above amount of..... | \$7,940,155 00 |
|---------------------------------|----------------|

Of this debt, there has been paid during the year ending on the 31st December last, of the 5 per cent Erie and Champlain canal stock, the sum of..... \$321,142 00  
The Cayuga and Seneca canal debt has, within the same time, been increased by the issue of 5 per cent stock, ..... \$87,000 00  
The whole canal debt, therefore, stood on the 1st day of January instant, as follows :

Erie and Champlain—

|  |                |
|--|----------------|
| Six per cent stock, payable 1st January 1837, .. | \$2,943,500 00 |
|--|----------------|

|  |              |
|--|--------------|
| Five per cent, payable in 1837 and 1845, ..... | 4,088,513 00 |
|--|--------------|

|  |                      |
|--|----------------------|
|  | <hr/> \$7,032,013 00 |
|--|----------------------|

Oswego—

|  |            |
|--|------------|
| Five per cent, payable in 1846 and 1849, ..... | 437,000 00 |
|--|------------|

Cayuga and Seneca—

|                                       |            |
|---------------------------------------|------------|
| Five per cent, payable in 1846, ..... | 237,000 00 |
|---------------------------------------|------------|

|             |                |
|-------------|----------------|
| Making..... | \$7,706,013 00 |
|-------------|----------------|

The tolls received upon the canals during the year 1829, cannot yet be exactly ascertained; but it is supposed that the amount received upon the Erie and Champlain canals will not vary far from

\$790,983 00

From this sum, there has been expended by the commissioners, superintendents, collectors, and other canal officers, about .....

\$310,099 00

For interest of debt, .....

\$387,035 00

697,134 00

Leaving of tolls to be applied to the debt, .....

\$93,849 00

In addition to this, the receipts from the auction duties

belonging to this fund, will be about .....

209,052 00

From salt duties, about .....

140,844 00

From other sources, about .....

27,781 00

Making .....

\$471,526 00

derived from the Erie and Champlain canal fund, to be applied towards the payment of that debt.

The receipts from tolls on the Oswego canal will vary little from

\$9,314 00

There has been received by the payments of principal and interest of bonds for lands sold, belonging to the

Oswego canal fund, .....

6,607 00

And from leases of surplus water, .....

723 00

Making .....

\$16,644 00

There has been expended by the superintendents and collectors, about the sum of .....

\$14,585 00

For interest of debt, .....

21,850 00

36,435 00

Leaving a balance against the fund of .....

\$19,789 00

The claims against that fund have been answered, by an exchange with the Erie and Champlain canal fund of bonds for lands sold, for stock which has been converted into money, and by money borrowed of that fund, for which a balance now remains due of \$11,613 00 There is belonging to the Oswego canal fund in lands, and bonds for lands sold, from \$150,000 to \$200,000.

There is no auxiliary fund belonging to the Cayuga and Seneca canal. The tolls received during the last year will not vary far from

\$7,905 00

The expenses of superintendence and collection for the last year, exclusive of the expenses of the commissioners, will be about .....

\$9,049 00

Interest upon the debt, .....

9,956 00

19,005 00

Leaving a deficit in the revenue of .....

\$11,100 00



The funds which have, thus far, been applied towards the reduction of the interest and principal of the Erie and Champlain canal debt, have been derived from tolls, from the duties on auctions, and salt manufactured within the state. These funds were appropriated by the law, authorising the construction of these canals, and have always produced more than enough to pay the interest. They are guaranteed by the constitution, and cannot be diverted to any other purposes, until the objects of their appropriation are fulfilled. The demands upon these funds for the payment of interest and repairs, and other expenses, although considerable, will be satisfied, and still leave a large annual surplus, applicable to the extinguishment of the principal; and we have the pleasing prospect, that in a few years that debt will be entirely extinguished.

The payment of the debt, however, may be retarded by various causes: The carrying may be diverted into other channels—more serious repairs may be necessary than have been experienced or expected—new locks and double locks, and other facilities for expediting transportation, may become indispensable—a change may be wrought in the policy of our laws, materially affecting the duties—and when the debt is paid, or nearly so, modifications of the tolls, and of the salt and auction duties, may be deemed politic, just and necessary.

Our funds, however, applicable to the extension of our public works, may be augmented, at no distant day, from a new source.—The duties upon the importation of merchandize are secured by the constitution of the United States, to the general government, and have been its great source of revenue for all purposes. In a very few years, the national debt will be paid off, and as but a small portion of the revenue will be consumed in conducting the affairs of the Union, within the constitutional limits, and as there are prudential reasons for continuing the duties to a certain extent, there can be no valid objection to the distribution of the surplus revenue among the states, to be disposed of at their discretion. If constitutional obstacles exist against the measure, they may be removed by constitutional means.

During the last session of the legislature, laws were passed directing surveys and estimates to be made in reference to the construction of the Chenango, Chemung, and Crooked Lake canals, and authorising the canal commissioners to construct them on certain conditions. The officers who have made examinations in relation to these contemplated works, will furnish you with such information as will enable you to act understandingly, and adopt such further measures as may be required.

The loan of the credit of the state to the Hudson and Delaware canal company, last winter, by authorising issues of stock to the amount of three hundred thousand dollars, I am happy to state, has enabled that company to complete their work. They have sold fifty-eight thousand dollars of the stock, and pledged the residue for money borrowed, except thirty-seven thousand dollars, which they have not needed. They commenced transporting coal in October, and on the 19th day of December last, had delivered, at tide water, on the Hudson, seven thousand tons, of a good quality, which was immedi-

ately sold at from seven dollars and fifty cents to eight dollars per ton. The company is now making arrangements to transport the next season, upon their rail-road and canal to the Hudson, three hundred and sixty tons per day, which, I am assured, they will be able to sell to purchasers at reduced prices.

During the session of 1818, the Governor was authorised to settle the claims of the state against the United States, for aid of various kinds afforded them during the late war. Negotiations were entered into, and considerable repayments were made on that account, although claims to a considerable amount remain to be adjusted. Further negotiations were suspended by the repeal of that law in 1826. There is, however, an acknowledged balance on the property account, for arms and equipments. It would be desirable to receive that balance in field ordnance for the supply of the artillery companies, forty of which are now destitute, and our arsenals do not possess the means of supplying their wants. It is submitted to your consideration, whether you will authorise the negotiations to be renewed for that purpose.

At the same time, another matter of much moment might be made the subject of negotiation.

The fortifying the harbor of the city of New-York, the commercial emporium, not only of the state, but of the nation on the eastern border, is of the first importance in case of war, and has attracted the attention of the general government, which is now erecting a very strong work, Fort Hamilton, on the eastern side of the Narrows. The outer defence of that harbor will not be complete, until a similar erection is made on the opposite side ; and I perceive that the government contemplate a work there, as part of their cordon of defence for the sea-board. During the late war, the state expended at least three hundred and fifty thousand dollars on works at that point, known as the fortifications on Staten-Island, which were never entirely finished, and are now in a state of decay. The advanced state of other similar public works, and the prosperous condition of the finances of the general government, indicate the present as a favorable time to treat for the sale of those works to the government. By an act of 1818, the Governor was authorised to institute a negotiation for the sale of those fortifications, and the lands connected therewith, and was directed to report to the legislature. Nothing effectual was done under that law. In 1826, a survey and map, and estimate of their value, were directed to be made. It is submitted to your consideration, whether further legislation on that subject is not expedient.

By a law of the last session, the person administering the government was authorised to treat with the first christian party of the Oneida Indians, and the Orchard party of the same tribe, for the purchase of their lands ; and to appoint an agent to accompany such of them as should choose to emigrate, to Green Bay. Under this law, the late Governor concluded a treaty with the first christian party, for the purchase of a portion of their lands ; and at an early period of the summer, I appointed an agent, who accompanied a large party of them, and saw them comfortably settled. After his return, and in the month of September last, I concluded a treaty with the same

party for the purchase of the residue of their lands. It is supposed that the remainder of the people of that party will emigrate to Green Bay, in the course of the next summer.

By these purchases, we have become possessed of about three thousand four hundred and seventy acres of valuable land in the heart of the State, which will soon be put into useful cultivation by respectable freeholders; and have removed thereby, from a state of temptation and misery, to a situation better fitted to their natural habits and the improvement of their condition, a small degenerated remnant of a once formidable and heroic race. It is to be hoped, that those who remain will be tempted, by the improved condition of their brethren, soon to follow their example.

In fulfilment of the duty imposed upon me by the act of the last session, to create a fund for the benefit of the creditors of certain monied corporations, I have designated the first Monday in February next, as the day for the meeting of the delegates of the several banks, at the city of New-York, and the village of Auburn, to appoint bank commissioners under that law.

The provisions of the law have received the decided approbation of the public; and it is to be regretted that it has not been satisfactory to all the existing banks. Those in the city of New-York are the principal complainants; although I learn from other parts of the State, that the severity of those provisions in the revised laws, which are made, by reference, part of the general law of last winter, will tend to weaken, rather than strengthen the public security, by driving men of character and responsibility from the direction. I have reason to believe that the banks in New-York are now prepared to relinquish their opposition to the safety fund and supervision, and accept their charters, provided a modification of the harsh features of the revised statutes can be obtained, and the local tax, now imposed directly upon the banks, be withdrawn, or placed upon the stockholders.

The provisions of the revised statutes, from sections eleven to seventeen inclusive, were adopted previous to, and without reference to the general law, and were supposed to contain within themselves the best security to the community. It is worthy of consideration, whether the law of last winter, creating a safety fund, and a board of visiting and examining commissioners, does not afford all the guarantee for the soundness of bills, which it is in the power of legislation to devise.

If an application should be made on the part of the city banks, your sense of their intimate connexion with the prosperity of the city, and their importance to the commercial operations of the State, will unquestionably induce you to give to it a favorable consideration.

The unfortunate controversy between this State and New-Jersey, respecting the boundary line, still continues to excite much feeling, and has been productive of some violence between citizens of the respective states. To bring the question of right to a legal decision, New-Jersey has seen fit to institute a suit against this State in the United States court. I have employed able counsel to assist the attorney-general; and they, on consultation, have come to the conclusion, that under existing laws, that court cannot take cognizance

of the cause, and have therefore declined to appear. It is certainly desirable that this source of irritation between us and our sister State, should cease to exist; and I respectfully submit to your wisdom to devise suitable measures for its removal. I send you herewith the attorney-general's report on that subject.

One of the suits instituted on the claim of John Jacob Astor against the grantees of the State in Putnam county, was tried in the circuit court of the United States, held during the month of October last, and resulted in a verdict for the plaintiff. A case has been made to be submitted to the supreme court, embracing many questions of law, upon which the counsel for the State have hopes of a favorable issue. The cause is expected to be brought to a hearing at the opening of the court in January; and from its importance, I have deemed it necessary to direct the attorney-general, whose report is herewith transmitted, to attend the argument at Washington.

The Revised Statutes went into full operation on the first day of the present month. Their recent enactment will relieve you, for the present, from much legislation on general subjects. Our laws are now clothed in plain language, collated and arranged under proper heads, amended in many respects, and put into a shape adapted to long continuance. This revision has been perfected with great industry and ability, and is highly creditable to the distinguished gentlemen who were charged with it, and to the legislative bodies which passed upon and adopted the result of their labors.

Our late Governor, whose administration, although of short duration, has left its impress upon our public policy, presented forcibly to the consideration of the last Legislature, the propriety of laws to prevent the corrupting tendency of the use of money at elections. A law was passed in pursuance of his suggestions, which has had the most salutary effect. We cannot begin too early to surround our elective franchise with defences against the approach of impurity. The example of good men, with occasional amendments of the law, and a strict enforcement of its penalties, will, I am confident, produce the desired results.

I cannot close this communication, without referring to an illustration of the virtuous tendency of our representative system, and the corrective energy of public opinion. I can speak of it without reproach, as it is a part of the public history of our legislation, that at a former period, individuals congregated for the sake of pecuniary gratifications, and forced their services upon those who had legislative grants in view, and endeavored, by their combined efforts, to control the passage of laws. Encouraged by their numbers, they openly boasted of an influence which they did not possess, and frequently threw a suspicion upon the purity of individual members. They have not appeared, embodied, for several years; and it is the strongest proof of their entire dispersion, that the whole subject of rechartering the banks, and revising our monied institutions, was acted upon at the last session, without the least suspicion of improper extraneous influence.

E. T. THROOP.

*Albany, January 5, 1830.*

*Documents accompanying the preceding Message.*

(NO. I.)

*Albany, December 26, 1839.*

SIR,

I take the liberty of again calling your attention to the unfortunate controversy relative to the boundary line between this State and the State of New-Jersey. Since the close of the last session of the Legislature, a new interest has been given to that question, by an attempt to bring it before the supreme court of the United States for adjudication. A bill has been exhibited in that court by the State of New-Jersey, against the People of the State of New-York; and in June last, a copy of the bill, with a subpoena to appear and answer, was served upon the acting Governor of this State; and a like service was made upon the Attorney-General. The appearance day was in August last; but it is understood that no order has been made, founded upon that service.

It has been made the duty of the Attorney-General in a number of cases, to defend the interests of the State, when drawn into controversy: but a suit directly against the State does not appear to have been, at any time, contemplated by the Legislature; and no provision has been made upon that subject. This fact alone would have been sufficient to prevent me from entering an appearance for the State, unless directed to do so either by the executive or legislative department of the government. But in relation to this suit, there is another consideration of a more important character than the one already mentioned.

I allude to the question of jurisdiction. Neither at common law, nor upon principle recognized by courts of equity, could a state or independent government be impleaded in a court of justice. The authority for instituting this suit must, therefore, be sought for in the constitution and laws of the United States.

By the Constitution, Art. III. section 1, it is declared, that "The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the Congress may from time to time ordain and establish." And the second section of the same article declares, (among other things,) that "The judicial power shall extend to controversies between two or more States." Although the constitution provided for the vesting of the judicial power of the United States, and defined its limits, that power could not be carried into execution, until suitable provisions for that purpose had been made by Congress. It was obviously necessary that laws should be enacted for organizing the supreme court, by declaring the number of judges of which it should consist, and providing for the times and places of its meeting, and for ordaining and establishing tribunals inferior to that court. And in relation to all the courts of the United States, it was necessary that process should be given for bringing before them the persons who might be impleaded; and the means of enforcing their judgments: or in other words, it was necessary that laws should be passed, to enable the courts to carry

their respective jurisdictions into execution. The framers of the constitution did not overlook this necessity: and that instrument, among the many other powers bestowed upon Congress, declares, (Art. I. section 3, paragraph 17,) that "The Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or office thereof."

In pursuance of this provision, and in reference to the judicial power of the government, the first Congress proceeded to organize and establish the courts of the Union; to assign to each (so far as that matter had been left to the discretion of the legislature) the jurisdiction it should exercise; to fix their terms; to provide them with process, as well to bring parties before them, as for enforcing their judgments; and proper ministerial officers for executing their mandates. In other words, necessary and proper laws were made "for carrying into execution" most of the judicial power of the government. These laws have from time to time been made the subject of revision and amendment by Congress, in the same manner as other subjects of legislation.

It then becomes important to consider whether Congress has at any time provided for the exercise of that portion of the judicial power which extends "to controversies between two or more states." It has already been remarked, that at the common law, a state or independent government could not be sued: it was therefore necessary, in providing for the exercise of this new and extraordinary jurisdiction created by the constitution; that the courts should be furnished with process adapted to the character of the party to be impleaded; that the mode of serving it should be defined, and that the means should be provided of enforcing the decree or judgment. No such laws have been made by Congress; and I entertain the decided opinion that the supreme court of the United States cannot take judicial cognizance of this controversy, in the form of a suit between the two States. And I am authorised to say that this is also the opinion of Mr. Bleecker and Mr. Butler, the gentlemen with whom I have the honor to be associated as counsel for the State.

There are other difficulties in the way of maintaining this suit, which I have not deemed it important now to mention: and in relation to the one suggested, I have given but a very brief view of the grounds upon which it rests.

There is reason to believe that the opinion very generally prevails among enlightened statesmen and jurists in different parts of the Union, that the supreme court of the United States cannot exercise jurisdiction in such a case. And one ground for this remark will be found in the fact, that although this controversy, and others of a similar character, have long existed, no attempt has been made within the last thirty years to make them the subject of judicial investigation in the form of a suit against a State.

That the State of New-Jersey, through her public agents, has regarded this question in the same light, appears to me to be quite evident. On the tenth day of January, 1822, one of her senators in Congress introduced into the Senate of the United States, "A bill  
[SENATE JOURNAL.] D

prescribing the mode of commencing, prosecuting and deciding controversies between two or more states." An abstract of the provisions of this bill, will shew how very delicate and difficult a subject this was deemed to be, by those who were in favor of bringing this power into existence.

*Section 1*, provided, "that in all cases where any matter of controversy now exists, or hereafter may exist, between states, in relation to jurisdiction, territory or boundaries, or any other matter which may be the proper subject of judicial decision, it shall be lawful for the State deeming itself aggrieved, to institute against the State of which it complains, a suit or suits in the supreme court of the United States, by bill, in the nature of a bill in equity," &c.

*Section 2*, provided, that such suits should be brought, prosecuted and defended in the legal and proper names of such states respectively.

*Section 3*, provided, that no such suit should be commenced or prosecuted "without the order or direction of the Legislature of the State suing;" a copy of which was to be filed in the office of the clerk of the court; and the Legislature was to appoint some fit person or persons to manage the prosecution.

*Section 4*, provided, that the State made a defendant, should be notified by the service of a certified copy of the bill of complaint and all documents, upon the governor or chief executive officer of the defendant State: and a notification was also to be served by the marshal on the Legislature of the defendant State, at the same time of serving a copy of the bill; and the marshal was to make return of such service.

*Section 5*, provided that no person should be permitted to act for the defendant State, unless legally authorised by the Legislature thereof as manager; and not until the instrument or document conferring the power, should be filed with the clerk of the court.

*Section 6*, provided that the defendant State might answer within one year after such notification; which time might be enlarged by the court on cause shown.

*Section 7*, made valid the acts of the persons authorised to prosecute or defend, and authorised the service of papers upon such managers.

*Section 8*, authorised the court to appoint commissioners for the purpose of ascertaining boundary lines.

*Section 9*, applied to general principles of law and equity in other cases, to proceedings under this act.

*Section 10*, provided that one year after the defendant State should have filed an answer, the court might proceed to hear and determine the matters in controversy.

*Section 11*, provided, that in case no answer should be filed within the time limited, the court should, on motion, award against the manager of the defence, and if none had been appointed, against the Legislature of the defendant State, a rule to shew cause why the court should not proceed to take and consider the bill as true, and decree accordingly.

*Section 12*, provided that the court, at the next term after the service of such rule to show cause, might, in case of default, proceed to a decree.

*Section 13*, gave costs to the succeeding party.

*Section 14*, prescribed the mode of ascertaining those costs.

*Section 15*, directed a certified copy of any decree to be made in pursuance of that act, to be delivered to the Governor, or chief executive officer of the state, against which such decree was pronounced, with a request from the court that such decree might within a reasonable time be executed. And the court were authorised to carry the decree into full effect: to issue a mandate, or warrant, to the marshal for that purpose; and the marshal was authorised to carry the decree into execution—to command and receive assistance and to use force if necessary.

This bill is said to have received very little favor in the Senate: and it is believed that a large majority of that body were averse to bringing into exercise a power accompanied with so many difficulties, and which might tend in its execution, to more serious evils than those to be anticipated from the want of a common arbiter between independent states.

On the eleventh day of December, 1828, a similar bill was brought into the Senate of the United States, by one of the senators from Rhode-Island. The first fourteen sections of which were copied from the bill introduced in 1822. The fifteenth section directed a copy of the decree to be delivered to the Governor, or chief executive officer of the State, against which the decree should be made, with a request from the court that the same might, in a reasonable time, be executed: but the bill contained no provision whatever for carrying the decree into execution, if such state should not comply with the request of the court.

Another section (the 16th) was added to this bill, which provided that it should be in force for five years next after the passing thereof, and to the end of the current session of Congress in which the said five years should expire, and no longer.

It seems but a just reflection upon the two last mentioned features of this bill, that those who advocated a provision for carrying this extraordinary power into execution, were either unwilling themselves to contemplate the results of a forcible execution of the judgment of the court; or that they entertained no hope of obtaining the approbation of Congress to such a measure. And even without any provision for giving the aggrieved party the fruits of his recovery, the sixteenth section gave to the whole bill the character of a mere experiment.

A further evidence of the opinions entertained in New-Jersey upon the question of jurisdiction, will be found on referring to the correspondence between the commissioners of the two States, in the year 1827. (Senate Journal of the year 1828, *Appendix A*.) When all efforts for an amicable adjustment had unfortunately failed, the distinguished gentlemen who composed the commission on the part of New-Jersey, in their note of September 15, 1827, submitted to the commissioners on the part of this State, "the expediency of referring the decision of the controversy to some indifferent and im-



partial tribunal." And in their note of September 17, they say in relation to that proposition—"we alluded particularly to the supreme court of the United States, as the tribunal to whose consideration and judgment, we confidently believe the State of New-Jersey would submit the controversy." Had it been supposed by the commissioners on the part of New-Jersey, that the supreme court of the United States could exercise a compulsory jurisdiction in the premises, there would have been no occasion for asking this State to submit the controversy to that forum.

I have not been able to learn that this proceeding has in any way been brought to the notice of the court; and it ought not therefore to be regarded as carrying with it the sanction of that high tribunal.

I shall cheerfully comply with such instructions as your Excellency, or the Legislature, may think proper to give in relation to this subject.

I am Sir, with great respect,

Your obedient humble servant,

GREENE C. BRONSON, *Att'y-Gen.*

His Excellency Governor THROOP.

(NO. II.)

*Albany, December 14, 1829.*

SIR,

Previous to the time of entering upon the duties of my office, Mr. John Jacob Astor, and his associates, had accepted the terms of compromise offered by the acts of the years 1827 and 1828, relative to certain lands in the counties of Putnam and Dutchess, and had selected five suits to be tried as a test of the claim, pursuant to the provisions of those acts.

At the last May term of the circuit of the United States for the southern district of New-York, those suits were noticed for trial, but in consequence of the falling through of the term, no trial was had.

The causes were again noticed for the late October circuit, and one of the suits (against James Carver) was tried, and a verdict was therein found for the plaintiff. Upon this trial, in addition to several questions of law, upon the construction and legal effect of the controverted deed under which the plaintiff made his title, a great number of questions were made by the counsel for the defence, and decided by the judge, upon the admissibility and legal effect of other evidence given in the cause: and exceptions were taken on the part of the defendant, with the view to a writ of error.

Until the questions upon the rules of evidence should be passed upon by the court of review, it seemed little less than a waste of time and expense to proceed with the remaining four trials. It was therefore proposed on the part of the defence, and acceded to on the part of Mr. Astor, that the remaining suits should not be tried until the various exceptions taken upon the trial against James Carver, should have been reviewed: that a bill of exceptions should be immediately prepared in that suit, and a writ of error be brought to the supreme court of the United States: and that the counsel for both

parties should unite in an application to that court to hear the argument at the next term, with the view to an early decision. And all the necessary measures have been taken to carry that arrangement into full effect.

The question of improvements mentioned in the acts above referred to, was presented to the court in the form of a suggestion on the record; and with the assent of both parties, was decided by the court, (without argument, and without the expression of any opinion upon its merits,) to the end that it might be in a condition for the judgment of the appellate court.

It must be obvious to every one that the acts in question were highly favorable to Mr. Astor, inasmuch as the trial of five suits was to determine his right, instead of the great expense of time and money which he must otherwise have incurred in proceeding against each of the several hundred tenants upon the land in controversy. Yet a use has been made of this liberality on the part of the State, which, I am satisfied, was never contemplated by the Legislature. Those acts were read to the jury on the late trial against James Carver; and although the jury were instructed by the court that the State had admitted nothing in favor of the claims by those acts, they may still have had an influence in producing a verdict for the plaintiff.

Other evidence was given by the plaintiff to prove that the suit was defended by the State: and it is difficult to understand what was the object of giving such evidence, unless it were to induce a more favorable consideration of the plaintiff's case by the jury, than it would otherwise have been entitled to receive. Exceptions were taken to the decisions of the court admitting this evidence and the acts of the Legislature; and those questions are consequently in a condition to be received by the high tribunal which is finally to pass upon the rights of the parties.

It may not be improper to say, that this trial, although it terminated in favor of the plaintiff, has not tended in any degree to satisfy the counsel for the defence of the validity of the claim of Mr. Astor and his associates.

I am very respectfully,

Your obedient humble servant,

GREENE C. BRONSON, *Att'y-Gen.*

His Excellency Governor THROOP.

*Ordered*, That the message of his honor the Lieutenant-Governor, be committed to a committee of the whole, and that double the usual number of copies of the same, together with the accompanying documents, be printed.

On motion of Mr. McCarty,

*Resolved*, That the pastors of churches, or congregations, in the city of Albany, be requested to officiate as chaplains to the Senate, during the present session, in the alphabetical order of their names.

On motion of Mr. Todd,

*Resolved*, That the clerk furnish to each member of the Senate, during its present session, (at the expense of the state,) such news-

papers as they shall respectively direct, not exceeding in price two daily papers.

*Ordered*, That when the Senate adjourns, it will adjourn to meet again at 11 o'clock to-morrow morning.

Then the Senate adjourned until 11 o'clock to-morrow morning.

**WEDNESDAY, 11 O'CLOCK, A. M.—JANUARY 6, 1830.**

The Senate met pursuant to adjournment.

Mr. Maynard presented the petition of Thomas H. Hubbard, clerk of the supreme court at Utica, praying an appropriation of money to make certain repairs to the clerk's office in that place, which was read, and referred to the committee on the judiciary.

Mr. Enos presented the petition of sundry purchasers of lands in Stockbridge, Madison county, praying relief in relation to the payment of interest ; which was read, and referred to the committee on finance.

Mr. Enos presented the petition of Chester May, praying relief in relation to the purchase money of lands ; which was read, and referred to the committee on finance.

Mr. Tracy presented the petition of Bela D. Cole and others, praying for an act to incorporate a company to construct a turnpike road from Buffalo to Hamburg, in the county of Erie ; which was read, and referred to the committee on roads and bridges.

A communication from the commissioners appointed to superintend the building of a state prison, in the first or second senate districts of this state, was received and read.

*[For communication and accompanying documents, see No. 8 of printed documents.]*

*Ordered*, That the said communication and the accompanying documents, be referred to the committee on state prisons, and that the same be printed.

On motion of Mr. Benton,

*Resolved*, That the clerk of the Senate furnish to each member and officer thereof, a Legislative Manual, bound in the usual manner, and containing the constitutions of the United States and of the state of New-York ; order of business of the Senate and Assembly ; rules and orders of the two houses ; list of members of both houses, and one of the Senate classified ; standing committees of the Senate and Assembly, with the select committees of the two houses on the message of the Executive ; list of the towns and counties of the state, with the value of the real and personal estate in each county ; calendar for 1830 ; Williams' map of the state of New-York, and the rules and orders of the court for the correction of errors.

Mr. Hubbard gave notice that he would, on some future day, ask leave to introduce a bill concerning the printing of insolvent and other legal notices, in the city and county of New-York.

Mr. Maynard gave notice that he would hereafter ask leave to bring in a bill relative to certain duties of clerks of the supreme court.

The Senate then resolved itself into a committee of the whole, on the message of his honor the Lieutenant-Governor, and after some time spent thereon, Mr. President resumed the chair, and Mr. Enos, from the said committee, reported, that the committee had agreed to a resolution in the words following, to wit :

*Resolved*, 1. That so much of the message of his honor the Lieutenant-Governor, as relates to the criminal code, be referred to the standing committee on the judiciary.

2. So much thereof as relates to state prisons and prison discipline, to the standing committee on state prisons.

3. So much thereof as relates to primary schools and benevolent institutions in the city of New-York, to a select committee.

4. So much thereof as relates to colleges, academies and common schools, to the standing committee on literature.

5. So much thereof as relates to manufactures, to the standing committee on manufactures.

6. So much thereof as relates to agriculture, to the standing committee on agriculture.

7. So much thereof as relates to the funds and revenue of the state, to the standing committee on finance.

8. So much thereof as relates to internal improvements, to the standing committee on canals.

9. So much thereof as relates to the claim of this state on the United States for aid furnished during the late war, to a select committee.

10. So much thereof as relates to the fortifications on Staten-Island, to a select committee.

11. So much thereof as relates to monied corporations, to the standing committee on banks and insurance companies, and

12. So much thereof as relates to the controversy between this state and the state of New-Jersey, to the standing committee on the judiciary.

Which was agreed to by the Senate.

Thereupon,

*Resolved*, 1. That so much of the message of his honor the Lieutenant-Governor, as relates to the criminal code, be referred to the standing committee on the judiciary.

2. So much thereof as relates to state prisons and prison discipline, to the standing committee on state prisons.

3. So much thereof as relates to primary schools and benevolent institutions in the city of New-York, to a select committee, consisting of Mr. Sherman, Mr. Hayden and Mr. Schenck.

4. So much thereof as relates to colleges, academies and common schools, to the standing committee on literature.

5. So much thereof as relates to manufactures, to the standing committee on manufactures.

6. So much thereof as relates to agriculture, to the standing committee on agriculture.

7. So much thereof as relates to the funds and revenue of the state, to the standing committee on finance.

8. So much thereof as relates to internal improvements, to the standing committee on canals.

9. So much thereof as relates to the claim of this state on the United States for aid furnished during the late war, to a select committee, consisting of Mr. Bronson, Mr. McCarty and Mr. Mather.

10. So much thereof as relates to the fortifications on Staten-Island, to a select committee, consisting of Mr. Sherman, Mr. Hubbard and Mr. Tracy.

11. So much thereof as relates to monied corporations, to the standing committee on banks and insurance companies; and

12. So much thereof as relates to the controversy between this state and the state of New-Jersey, to the standing committee on the judiciary.

Mr. Maynard, in pursuance of previous notice, asked for, and by unanimous consent, obtained leave to bring in a bill entitled "An act concerning certain duties of the clerks of the supreme court."

Thereupon,

Mr. Maynard brought in said bill, which was read the first time, and by unanimous consent, was also read a second time, and committed to a committee of the whole.

*Ordered*, That when the Senate adjourns, it will adjourn to meet again at 11 o'clock to-morrow morning.

Then the Senate adjourned until 11 o'clock to-morrow morning.

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#### **THURSDAY, 11 O'CLOCK, A. M.—JANUARY 7, 1830.**

The Senate met pursuant to adjournment.

Mr. McLean presented the petition of Mary Seymour, praying for an act annulling her marriage contract; which was read, and referred to the committee on the judiciary.

Mr. Hubbard presented the petition of the supervisors of the county of Chenango, praying for a law authorising the erection of a stone gaol; which was read, and referred to the committee on state prisons.

Mr. Tallmadge presented the petition of the Delaware and Hudson canal company, praying that the officers, agents and superintendents employed on their canal, may be exempted from militia and jury duty; which was read, and referred to the committee on the militia.

Mr. Wheeler presented the petition of George McClure, praying the passage of an act relative to a mortgage held by the state; which was read, and referred to the Comptroller.

Mr. Wheeler also presented the petition of Benjamin S. Brundage, praying relief in relation to a bond and mortgage held by the state; which was read, and referred to the committee on finance.

Mr. Bronson presented the petition of John E. Hinman and H. W. Schroepfel, praying for the privilege of building a dam across the Oneida river at Oak Orchard reef; which was read, and referred to a select committee, consisting of the members attending the Senate from the fifth senate district.

Mr. Hubbard, in pursuance of notice, asked for and obtained leave to bring in a bill entitled "An act concerning the printing of insolvent and other legal notices, in the city and county of New-York."

Thereupon,

Mr. Hubbard brought in said bill, which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on the judiciary.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act concerning certain duties of the clerks of the supreme court," and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported progress, and asked for and obtained leave to sit again.

Mr. President announced from the chair the standing committees.

Thereupon,

*Ordered*, That Mr. Hubbard, Mr. Schenck and Mr. Enos, be a committee on claims.

*Ordered*, That Mr. Todd, Mr. Bronson and Mr. Rexford, be a committee on finance.

*Ordered*, That Mr. Benton, Mr. Throop and Mr. Beardsley, be a committee on the judiciary.

*Ordered*, That Mr. Wheeler, Mr. McCarty and Mr. Deitz, be a committee on the militia

*Ordered*, That Mr. Waterman, Mr. Todd and Mr. Armstrong, be a committee on canals.

*Ordered*, That Mr. McMartin, Mr. Wheeler and Mr. Armstrong, be a committee on roads and bridges.

*Ordered*, That Mr. McLean, Mr. Maynard and Mr. Tallmadge, be a committee on literature.

*Ordered*, That Mr. Throop, Mr. Allen and Mr. Rexford, be a committee on state prisons.

*Ordered*, That Mr. Allen, Mr. Benton and Mr. Eaton, be a committee on banks and insurance companies.

*Ordered*, That Mr. Beardsley, Mr. Warren and Mr. Sanford, be a committee on the division of counties and towns.

*Ordered*, That Mr. Sanford, Mr. Porter and Mr. Gere, be a committee on agriculture.

*Ordered*, That Mr. Woodward, Mr. Deitz and Mr. Gere, be a committee on manufactures.

*Ordered*, That Mr. Maynard, Mr. Waterman and Mr. Warren, be a committee on privileges and elections.

*Ordered*, That Mr. Mather, Mr. Tracy and Mr. Sherman, be a committee on enrolled bills.

*Ordered*, That Mr. Enos, Mr. Boughton and Mr. Conklin, be a committee on Indian affairs.

[SENATE JOURNAL.]

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*Ordered*, That Mr. Tallmadge, Mr. Sherman and Mr. Hayden, be a committee on expiring laws.

*Ordered*, That Mr. Eaton, Mr. Gere and Mr. Conklin, be a committee on expenditures.

On motion of Mr. Benton,

*Ordered*, That when the Senate adjourns, it will adjourn to meet again at 11 o'clock to-morrow morning, and will continue to meet at that hour, until otherwise ordered.

Then the Senate adjourned until 11 o'clock to-morrow morning.

**FRIDAY, 11 O'CLOCK, A. M.—JANUARY 8, 1830.**

The Senate met pursuant to adjournment.

Mr. Porter, a senator from the eighth senate district, appeared in the Senate Chamber and took his seat.

Mr. Wheeler presented two several petitions of sundry inhabitants of the counties of Monroe, Livingston, Allegany, Cattaraugus and Genesee, praying for the construction of a canal from the Erie canal to the Allegany river; which were read, and referred to the committee on canals.

Mr. Waterman presented the petition of John Sayre, commissioner of loans of Seneca county, praying relief from responsibilities and payments, through the deficiency of his associate commissioner; which was read, and referred to the committee on claims.

Mr. Tallmadge presented the memorial of the president, managers and company, of the Delaware and Hudson canal company, praying for an act relative to the sale of real estate; which was read, and referred to the Comptroller.

Mr. Sherman presented the petition of the president, directors and company of the National bank of the city of New-York, praying for an extension of time to fill up the capital stock of said company, and the removal of tax on foreign capital; which was read, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act relative to the courts of common pleas and general sessions, in and for the county of Columbia;" which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act concerning the county courts of the county of Delaware;" which was read the first time, and by unanimous consent, was also read a second time, and committed to a committee of the whole.

On motion of Mr. Waterman,

*Resolved*, That the clerk prepare two strips of paper, one numbered *one*, and the other numbered *four*; and that the Hon. Alpheus Sherman and the Hon. Jonathan S. Conklin, senators from the first

district, draw from the said lots ; and that the person drawing No. 1, shall be considered as having drawn for the *shortest*, and the person drawing No. 4, for the *longest* period.

The said strips being prepared :

Thereupon,

Mr. Sherman drew No. 4, and Mr. Conklin drew No. 1.

On motion of Mr. Benton,

*Resolved*, (if the Assembly concur herein,) That the Secretary of State be authorised and directed to deliver to the clerks of the Senate and Assembly, in addition to the number now authorised by law, thirty sets of the Revised Statutes of this state ; ten copies to be delivered to the clerk of the Senate, and the residue to the clerk of the Assembly, for the use of the two houses ; and for which the said clerks shall respectively give receipts to the Secretary of State, upon delivery.

*Ordered*, That the clerk deliver a copy of said resolution to the Assembly.

On motion of Mr. Maynard,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act concerning certain duties of the clerks of the supreme court," and that the same be referred to the committee on the judiciary.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act concerning the county courts of the county of Delaware ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Woodward, from the said committee, reported the same without amendment ; which was agreed to by the Senate, and the bill ordered to a third reading.

Thereupon,

The said bill, by unanimous consent, was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

After the consideration of executive business, the Senate adjourned until 11 o'clock to-morrow morning.



**SATURDAY, 11 O'CLOCK, A. M.—JANUARY 9, 1830..**

The Senate met pursuant to adjournment.

Mr. Tallmadge presented the petition of the trustees of the first Presbyterian church in Poughkeepsie, praying for leave to mortgage their real estate; which was read, and referred to the committee on the judiciary.

Mr. Benton, from the committee on the judiciary, reported, with an amendment, the bill from the Assembly, entitled "An act relative to the courts of common pleas and general sessions, in and for the county of Columbia;" which was committed to a committee of the whole.

Mr. Benton, from the same committee, on the petition of Thomas H. Hubbard, reported a bill, entitled "An act concerning the supreme court clerk's office in the town of Utica; which was read the first time, and by unanimous consent, was also read the second time, and committed to a committee of the whole.

A report from R. Barnes, inspector of hops in the city of New-York, was received and read, and ordered to be laid on the table.

*(For communication, see Document No. 18.)*

A copy of a resolution from the Assembly, was read in the words following, to wit:

*Resolved*, (if the Senate concur herein,) That the sale of lands advertised by the surveyor-general to be sold on the 15th day of January instant, for arrears of interest, be postponed until the first Monday in June next; and that the surveyor-general cause the usual public notice to be given of such postponement; and that all expenses already incurred in advertising, or that may hereafter be incurred in postponing the sale of said lands, shall be paid by the persons interested therein.

*Ordered*, That the said resolution be committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act authorising the appointment of a supreme court commissioner, to reside in the village of Binghamton, in the county of Broome;" which was read the first time, and by unanimous consent, was also read a second time, and committed to a committee of the whole.

Two bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to amend an act, passed April 12th, 1816, entitled 'An act for the more effectual collection of taxes and assessments in the city of New-York:'"

"An act relative to the line of West-street, between the Albany basin and Battery place, (late Marketfield-street,) in the city of New-York:"

Which were read the first time, and by unanimous consent, were also read a second time, and referred to a select committee, consist-

ing of the members attending the Senate from the first senate district.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act relative to the courts of common pleas and general sessions, in and for the county of Columbia;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Waterman, from the said committee, reported the same with an amendment; which report was agreed to by the Senate, and the amendment ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act concerning the supreme court clerk's office, in the town of Utica;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Wheeler, from the said committee, reported the same with amendments; which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

On motion of Mr. Enos,

*Ordered*, That when the Senate adjourns, it will adjourn to meet again at 10 o'clock on Monday morning next.

After the consideration of executive business, the Senate adjourned until 10 o'clock on Monday morning next.

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**MONDAY, 11 O'CLOCK, A. M.—JANUARY 11, 1830.**

The Senate met pursuant to adjournment.

Mr. Maynard presented the petition of Joshua Sherwin of Lenox, Madison county, praying for permission to purchase a lot of land therein mentioned; which was read, and referred to a select committee, consisting of the members attending the Senate from the fifth senate district.

Mr. McMartin, from the committee on roads and bridges, on the petition of Bela D. Coe and others, reported in favor of the prayer of the petitioners, and brought in a bill entitled "An act to incorporate the Buffalo and Hamburg turnpike company;" which was read the first time, and by unanimous consent, was also read a second time, and committed to a committee of the whole.

[*For report, see Document No. 16.*]

Mr. Benton, from the committee on the judiciary, to which was referred the petition of the trustees of the first Presbyterian church in Poughkeepsie, praying for a law authorising said corporation to mortgage their real estate, reported as follows, to wit:

That in the opinion of the committee, the said corporation are asking for an alteration or extension of their powers as a body corporate,

and that it will require the assent of two thirds of all the members elected to the Senate to the passage of the bill which they ask may be enacted, and if this position be correct, then notice of the present application should have been given. The committee have not been furnished with any evidence of the publication of such notice, and for this cause, without expressing any opinion upon the merits of the application, except to remark, that the court of chancery can grant the relief prayed for, they think the prayer of the petitioners ought not to be granted, and recommend the adoption of the following resolution :

*Resolved*, That the petitioners have leave to withdraw their petition.

Which was agreed to by the Senate.

Mr. Benton, from the committee on the judiciary, to which was referred the bill entitled "An act concerning the printing of insolvent and other notices in the city and county of New-York," made a report recommending the passage of the same, with amendments.

*Ordered*, That the said bill and amendments be committed to a committee of the whole.

[*For report, see Document No. 17.*]

Mr. Allen, from the select committee on the bill from the Assembly, entitled "An act relative to the line of West-street, between the Albany basin and Battery place, (late Marketfield-street,) in the city of New-York," reported the same without amendment; which was committed to a committee of the whole.

Mr. Allen, from the select committee on the bill from the Assembly, entitled "An act to amend an act, passed April 12th, 1816, entitled 'An act for the more effectual collection of taxes and assessments in the city of New-York,'" reported the same with amendments; which was committed to a committee of the whole.

A report from the Comptroller, on the petition of George McClure, was received and read, and, together with the petition, ordered to be referred to the committee on finance.

[*For report, see Document No. 19.*]

Mr. Waterman presented the memorial of the commissioners for building a court-house and jail in Broome county, praying authority to loan a further sum to complete the building; and requiring the supervisors to raise money to pay interest on former loans; which was read, and referred to a select committee, consisting of Mr. Waterman, Mr. Hubbard and Mr. Wheeler.

Mr. Mather, from the committee on enrolled bills, reported the following as correctly engrossed :

"An act concerning the supreme court clerk's office in the town of Utica."

Thereupon,

The said engrossed bill was read the third time and passed.

*Ordered*, That the clerk deliver the said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act relative to the courts of common pleas and general sessions in and for the county of Columbia," with the engrossed amendment, was read the third time and passed.

*Ordered*, That the clerk deliver the said bill to the Assembly; and inform them that the Senate have passed the same, with the amendment therewith delivered.

The Senate then resolved itself into a committee of the whole, on the following resolution from the Assembly :

*Resolved*, (if the Senate concur herein,) That the sale of lands advertised by the Surveyor-General, to be sold on the fifteenth day of January instant, for arrears of interest, be postponed until the first Monday in June next; and that the Surveyor-General cause the usual public notice to be given of such postponement, and that all expenses already incurred in advertising, or that may hereafter be incurred in postponing the sale of said lands, shall be paid by the persons interested therein :

And after some time spent thereon, Mr. President resumed the chair, and Mr. McLean, from the said committee, reported, that the committee had agreed to said resolution without amendment ; which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the Senate do concur with the Assembly in their said resolution.

*Ordered*, That the clerk deliver a copy of the preceding resolution to the Assembly.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend an act, passed April 12th, 1816, entitled 'An act for the more effectual collection of taxes and assessments in the city of New-York ;'" and after some time spent thereon, Mr. President resumed the chair, and Mr. Bronson, from the said committee, reported the same with amendments ; which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

Then the Senate adjourned until 10 o'clock to-morrow morning.

**TUESDAY, 10 O'CLOCK, A. M.—JANUARY 12, 1830.**

The Senate met pursuant to adjournment.

Mr. Sherman presented the remonstrance of the editors and proprietors of daily newspapers in the city of New-York, against the application of James W. Webb, for the exclusive right of printing law advertisements in said city; which was read, and referred to a committee of the whole, when on the bill upon that subject.

Mr. Beardsley presented the petition of Orson Smith and others, praying for a grant of military bounty lands; which was read and referred to the committee on claims.

Mr. Waterman, from the select committee on the memorial of the commissioners for building a court-house and jail in Broome county, reported, that the committee had prepared a bill, entitled "An act respecting the court-house and jail in the county of Broome;" which, by leave, was brought in, read the first time, and by unanimous consent, was also read a second time, and committed to a committee of the whole.

A copy of a resolution was received from the Assembly, informing, that they had concurred in the resolution of the Senate for procuring thirty sets of the Revised Statutes, for the use of the two houses.

A bill was received from the Assembly for concurrence, entitled "An act relative to the circuit and court of oyer and terminer, and the county courts of the county of Onondaga;" which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on the judiciary.

*Ordered*, That the select committee, consisting of the members attending the Senate from the fifth senate district, be discharged from the further consideration of the petition of Joshua Sherwin, and that the same be referred to the Surveyor-General.

Mr. Allen moved two resolutions, in the words following, to wit :

*Resolved*, (if the Assembly concur herein,) That the state printer be, and he is hereby directed, to transmit annually to the agent of each of the State prisons of this State, ten copies of all official reports made to the Legislature respecting said prisons, in accordance with the provisions of section fifty-two, of chapter third, title second, article first, of the Revised Statutes.

*Resolved*, (if the Assembly concur herein,) That the Secretary of State transmit to the agent of each of the state prisons of this State, a copy of the Revised Statutes, for the use of said prisons respectively, and that he also transmit annually to said agents, a copy of the laws passed at each session of the Legislature, for the uses aforesaid.

*Ordered*, That the said resolutions be laid upon the table.

A report from the Comptroller, on the memorial of the president, managers and company of the Delaware and Hudson canal company, was received and read, and, together with the memorial, ordered to be referred to the committee on the judiciary.

[For report, see Document No. 21.]

The bill from the Assembly, entitled "An act to amend an act, passed April 12th, 1816, entitled 'An act for the more effectual collection of taxes and assessments in the city of New-York,'" with the engrossed amendments, was read the third time and passed.

*Ordered*, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising the appointment of a supreme court commissioner to reside in the village of Binghamton, in the county of Broome;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Beardsley, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Buffalo and Hamburg turnpike company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Sherman, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

After the consideration of executive business, the Senate adjourned until 10 o'clock to-morrow morning.

**WEDNESDAY, 10 O'CLOCK, A. M.—JANUARY 13, 1830.**

The Senate met pursuant to adjournment.

Mr. Hubbard, from the committee on claims, on the petition of John Sayre, commissioner of loans of Seneca county, made a report against the prayer of said petition; which was committed to a committee of the whole, and ordered to be printed.

*[For Report, see Document No. 23.]*

Mr. Todd, from the committee on finance, on the petitions of purchasers of lands in New-Stockbridge, and of Chester May, reported, that in consequence of the passage of a joint resolution relative to the sales of lands for arrears of interest, no further legislation upon that subject was necessary, and moved that the committee be discharged from the further consideration of said petitions; which was agreed to by the Senate.

Mr. Benton, from the committee on the judiciary, reported, with an amendment, the bill from the Assembly, entitled "An act relative to the circuit and court of oyer and terminer, and the county courts of the county of Onondaga;" which report was agreed to by

[SENATE JOURNAL.]

F

the Senate, and the amendment ordered to be engrossed, and the bill to a third reading.

Two bills were received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended them accordingly, of the following titles, to wit :

"An act to amend an act, passed April 12th, 1816, entitled 'An act for the more effectual collection of taxes and assessments in the city of New-York ;'"

"An act relative to the courts of common pleas and general sessions in and for the county of Columbia."

The said amended bills having been examined,

*Ordered*, That the clerk return the same to the Assembly.

Three bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act to confirm and ratify the purchase and sale of certain real estate in the county of Genesee :"

"An act to alter the time for holding the courts of common pleas and general sessions in the county of Cortland :"

"An act to change the names of William Coxhead and Jonathan Thomas Patten :"

Which were severally read the first time, and by unanimous consent, were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the supervisors of Westchester county to raise an additional sum to complete their poor-house establishment ;" which was read the first time, and by unanimous consent, was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the second senate district.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the overseers of the poor of the town of Johnsbury, in the county of Warren, to sell and convey a certain lot of land ;" which was read the first time, and by unanimous consent, was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the fourth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to alter the time of the annual meeting of the board of supervisors of the county of Westchester ;" which was read the first time, and by unanimous consent, was also read a second time, and committed to a committee of the whole.

The Senate then took up the consideration of the following resolutions, which were agreed to :

*Resolved*, (if the Assembly concur,) That the state printer be, and he is hereby directed to transmit annually, to the agent of each of the state prisons of this state, ten copies of all official reports made to the legislature respecting said prisons, in accordance with the provisions of sec. 52, of chap. third, title second, article first, of the Revised Statutes.

*Resolved*, (if the Assembly concur,) That the Secretary of State, transmit to the agent of each of the state prisons of this state, a copy of the Revised Statutes, for the use of said prisons respectively, and

that he also transmit annually to said agents, a copy of the laws passed at each session of the legislature, for the uses aforesaid.

*Ordered*, That the clerk deliver a copy of said resolutions to the Assembly.

On motion of Mr. Benton,

*Resolved*, That after to-day, and until further ordered, the Senate will hold an afternoon session, commencing at four o'clock in the afternoon, for the transaction of legislative and executive business.

The bill from the Assembly, entitled "An act authorising the appointment of a supreme court commissioner to reside in the village of Binghamton, in the county of Broome," was read the third time and passed.

*Ordered*, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act relative to the circuit and court of oyer and terminer, and the county courts of the county of Onondaga," with the engrossed amendment, was read the third time and passed.

*Ordered*, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act concerning the printing of insolvent and other legal notices in the city and county of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Mather, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 4 o'clock to-morrow afternoon.

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#### THURSDAY, 4 O'CLOCK, P. M.—JANUARY 14, 1830.

The Senate met pursuant to adjournment.

Mr. Enos presented two several petitions of settlers on the Cowasalon tract in the town of Lenox, and of settlers on the southwest tract of New-Stockbridge, praying for the remission of a part of the interest or purchase money of their lands; which were severally read, and referred to the committee on finance.

Mr. McMartin, from the select committee on the bill from the Assembly, entitled "An act to authorise the overseers of the poor of the town of Johnsburch, in the county of Warren, to sell and convey a certain lot of land," reported the same without amendment; which was committed to a committee of the whole.



A report from the Comptroller, relative to the Amsterdam bridge company, was received and read, and ordered to be laid on the table.

[For Report, see Document No. 25.]

A copy of a resolution from the Assembly, was received and read, informing, that they had concurred in the resolutions of the Senate of the 13th instant, with an amendment to the second of said resolutions, by adding, after the word "transmit," in the second line thereof, the words, "to each of the canal commissioners, and."

*Resolved*, That the Senate do concur with the Assembly in their amendment to said resolution.

*Ordered*, That the clerk deliver a copy of the preceding resolution to the Assembly.

The bill entitled "An act relative to the circuit and court of oyer and terminer, and the county courts of the county of Onondaga," was received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined :

*Ordered*, That the clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Robert Ferguson;" which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Lemuel Warren;" which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on claims.

Mr. Mather, from the committee on enrolled bills, reported the following as correctly engrossed :

"An act to incorporate the Buffalo and Hamburg turnpike company."

Thereupon,

The said engrossed bill was read the third time and passed ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

#### FOR THE AFFIRMATIVE.

Mr. Allen  
Mr. Armstrong  
Mr. Beardsley  
Mr. Benton  
Mr. Boughton  
Mr. Bronson  
Mr. Conklin  
Deitz  
Mr. Eaton  
Mr. Enos

Mr. Gere  
Mr. Hubbard  
Mr. Mather  
Mr. Maynard  
Mr. McCarty  
Mr. McLean  
Mr. McMartin  
Mr. Oliver  
Mr. Rexford

Mr. Schenck  
Mr. Tallmadge  
Mr. Throop  
Mr. Todd  
Mr. Tracy  
Mr. Warren  
Mr. Waterman  
Mr. Wheeler  
Mr. Woodward

*Ordered*, That the clerk deliver the said bill to the Assembly, and request their concurrence in the same.

The Senate then again resolved itself into a committee of the whole on the bill entitled "An act concerning the printing of insolvent and other legal notices in the city and county of New-York," and after some time spent thereon, Mr. President resumed the chair, and Mr. Mather, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 4 o'clock to-morrow afternoon.

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**FRIDAY, 4 O'CLOCK, P. M.—JANUARY 15, 1830.**

The Senate met pursuant to adjournment.

Mr. Todd, from the committee on finance, on the petition of Benjamin S. Brundage, made a report against the same, which was agreed to by the Senate.

*[For Report, see Document No. 27.]*

Mr. Benton, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act to confirm and ratify the purchase and sale of certain real estate in the county of Genesee," which was committed to a committee of the whole.

Mr. Benton, from the same committee, on the memorial of the president, managers and company of the Delaware and Hudson canal company, reported a bill, entitled "An act concerning the debt due the state, from the president, managers and company of the Delaware and Hudson canal company," which was read the first time, and by unanimous consent, was also read a second time, and committed to a committee of the whole, and ordered to be printed.

Mr. Benton, from the same committee, reported, with amendments, the bill entitled "An act concerning certain duties of the clerks of the supreme court," which was committed to a committee of the whole.

The bill entitled "An act concerning the supreme court clerk's office in the town of Utica," was received from the Assembly, with a message that they had passed the same without amendment, and which was presented to his honor the Lieutenant-Governor, by the clerk.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act passed February 5th, 1829, entitled an act to amend the act entitled 'An act for the disposal of lands ceded to the people of this state,' passed March 12th, 1823, which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act to confirm the title of Charlotte Selby to certain real estate in the city of New-York," which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the supervisors of Columbia county to raise an additional sum of money to pay for the poor-house of said county," which was read the first time, and by unanimous consent, was also read a second time, and referred to a select committee consisting of the members attending the Senate from the third senate district.

After the consideration of executive business, the Senate adjourned until 4 o'clock to-morrow afternoon.

**SATURDAY, 4 O'CLOCK, P. M.—JANUARY 16, 1830.**

The Senate met pursuant to adjournment.

Mr. Maynard presented the petition of Allen Hills and Thomas Spencer, administrators of Huet Hills, deceased, praying for relief in relation to moneys heretofore paid into the treasury for certain lots of land in Castleton, Oneida county, which was read and referred to the Comptroller.

A message from his honor the Lieutenant-Governor, delivered by his private secretary, was read, in the words following, to wit:

**TO THE SENATE.**

GENTLEMEN,

I have this day approved and signed the bill entitled "An act concerning the supreme court clerk's office in the town of Utica."

E. T. THROOP.

*Albany, January 16, 1830.*

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Henry Otterson, an alien," which was read the first time, and by unanimous consent, was also read a second time and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to extend the time for the collection of taxes in the town of Greenbush, in the county of Rensselaer," which was read the first time, and by unanimous consent, was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the third senate district.

A bill was received from the Assembly for concurrence, entitled "An act confirming the sale of a lot of ground in the town of So-

dua, county of Wayne, made by the trustees of the First presbyterial society of the said town, to Enoch Turner," which was read the first time, and by unanimous consent, was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the seventh senate district.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly, entitled "An act relative to the line of West-street, between the Albany basin and Battery-Place, (late Marketfield-street,) in the city of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled "An act respecting the court-house and jail in the county of Broome," and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the report of the committee on claims, on the petition of John Sayre, which report was against the prayer of the petitioner; and after some time spent thereon, Mr. President resumed the chair, and Mr. Tracy, from said committee, reported, that the committee had agreed to said report, which was agreed to by the Senate.

Thereupon,

*Resolved*, That the petitioner have leave to withdraw his petition.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly entitled "An act to alter the time of the annual meeting of the board of supervisors of the county of Westchester;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Rexford, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act concerning certain duties of the clerks of of the supreme court;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Eaton, from the said committee reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to authorise the overseers of the poor of the town of Johnsburgh, in the county of Warren, to sell and convey a certain lot of land;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Wheeler, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to confirm and ratify the purchase and sale of certain real estate in the county of Gene-

see ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Boughton, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 4 o'clock, on Monday afternoon.

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**MONDAY, 4 O'CLOCK, P. M.—JANUARY 18, 1830.**

The Senate met pursuant to adjournment.

Mr. Warren presented the petition of the president, directors and company of the Nassau turnpike, praying for an extension of the time limited to complete the same, and to alter the route thereof, which was read and referred to the committee on roads and bridges.

Mr. Sherman presented the petition of the directors of the New-York institution for the instruction of the deaf and dumb, praying for an additional number of state pupils, which was read and referred to the select committee on so much of the message of his honor the Lieutenant-Governor, as relates to primary schools and benevolent institutions in the city of New-York.

Mr. Todd, from the committee on finance, to which was referred the petition of George McClure, together with the report of the comptroller thereon, made a report on that subject, and brought in a bill entitled "An act authorising the comptroller to assign to George McClure a certain bond and mortgage," which was read the first time, and by unanimous consent, was also read a second time, and committed to a committee of the whole.

[*For Report, see Document No. 33.*]

Mr. Warren, from the select committee on the following bills from the Assembly, reported the same without amendment, to wit :

"An act to extend the time for the collection of taxes in the town of Greenbush, in the county of Rensselaer :"

"An act to authorise the supervisors of Columbia county to raise an additional sum of money to pay for the poor-house of said county."

*Ordered*, That said bills be committed to a committee of the whole.

The annual report of the inspectors of the state prison at Auburn, was received and read, and referred to the committee on state prisons.

*Ordered*, That fifty, in addition to the usual number of copies of said report, be printed.

(*For Report, see Document No. 38.*)

The annual report of the trustees of the Sailors' snug harbor, was received and read, and ordered to be laid on the table.

(For Report, see Document No. 81.)

On motion of Mr. Maynard,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to confirm and ratify the purchase and sale of certain real estate in the county of Genesee;" and that the same be recommitted to the committee on the judiciary.

Mr. Sherman gave notice, that he would on some future day, ask leave to introduce a bill relating to the court of common pleas for the city and county of New-York.

The bill from the Assembly, entitled "An act to authorise the overseers of the poor of the town of Johnsburch, in the county of Warren, to sell and convey a certain lot of land;" was read the third time and passed.

The bill from the Assembly, entitled "An act relative to the line of West-street, between the Albany basin and Battery-Place, (late Marketfield-street,) in the city of New-York;" was read the third time and passed.

The bill from the Assembly, entitled "An act to alter the time of the annual meeting of the board of supervisors of the county of Westchester," was read the third time and passed.

*Ordered*, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The engrossed bill, entitled "An act concerning certain duties of the clerks of the supreme court," was read the third time and passed.

The engrossed bill, entitled "An act respecting the court-house and jail in the county of Broome," was read the third time and passed.

*Ordered*, That the clerk deliver said bills to the Assembly, and request their concurrence to the same.

The Senate then resolved itself into a committee of the whole, on the bill, entitled "An act concerning the debt due the state from the president, managers and company of the Delaware and Hudson canal company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported the same without amendment, which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Tracy gave notice, that he would to-morrow, move a reconsideration of the vote, on the final passage of the bill, entitled "An act concerning certain duties of the clerks of the supreme court."

The Senate then again resolved itself into a committee of the whole, on the bill, entitled "An act concerning the printing of insolvent and other legal notices in the city and county of New-York;" and after some time spent thereon, Mr. President resumed

[SENATE JOURNAL.]

G

the chair, and Mr. Boughton, from the said committee, reported the same without amendment, and an alteration of the title so as to read, "An act concerning the printing of insolvent notices in the city and county of New-York ;" which report was again read in the words following, to wit :

"The People of the state of New-York, represented in Senate and Assembly, do enact as follows :

"§ 1. From and after the tenth day of February, in the year of our Lord one thousand eight hundred and thirty, a copy of each and every insolvent notice which by law are required to be published in the city and county of New-York, shall for the time specified by such laws, be published in the newspaper published in said city, and known by the name of the Morning Courier and New-York Enquirer.

"§ 2. The proprietors and publishers of the said newspaper shall be entitled to receive for the publication of every such insolvent notice, and furnishing the evidence of the publication thereof, such compensation or fees as is or may be allowed by law, and no more.

"§ 3. All notices, to which this act relates, the publication whereof shall have been commenced in other newspapers, before this act shall go into operation, may be continued in such papers, and the publication thereof shall be as legal as it would have been if this act had not been passed."

"§ 4. The proprietors and publishers of the said newspaper shall, without any compensation, and in addition to the notice herein before required to be published, also publish once in each week, in the semi-weekly paper for the country, under the head of *Insolvents*, a list of the names of such insolvents whose notices shall have been first inserted and published in said newspaper the week preceding.

"§ 5. In case the publishers and proprietors of the said newspaper shall neglect or refuse to publish the said insolvent notices in said paper for the compensation allowed, or for any other cause, such notices shall be published in some other one of the daily journals published in said city, to be designated by the officer granting the order."

Mr. President put the question on agreeing to the same, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows to wit :

**FOR THE AFFIRMATIVE.**

Mr. Allen  
Mr. Armstrong  
Mr. Beardsley  
Mr. Benton  
Mr. Bronson  
Mr. Conklin

Mr. Deitz  
Mr. Eaton  
Mr. Gere  
Mr. Hubbard  
Mr. Oliver  
Mr. Rexford

Mr. Schenck  
Mr. Sherman  
Mr. Tallmadge  
Mr. Throop  
Mr. Todd

## FOR THE NEGATIVE.

|              |              |              |   |
|--------------|--------------|--------------|---|
| Mr. Boughton | Mr. McMartin | Mr. Waterman |   |
| Mr. Maynard  | Mr. Tracy    | Mr. Wheeler  |   |
| Mr. McLean   | Mr. Warren   | Mr. Woodward | 9 |

*Ordered*, That the bill be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to extend the time for the collection of taxes in the town of Greenbush, in the county of Rensselaer," and after some time spent thereon, Mr. President resumed the chair, and Mr. Allen, from the said committee reported the same with an amendment, which report was agreed to by the Senate, and the amendment ordered engrossed, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly entitled "An act to authorise the supervisors of Columbia county to raise an additional sum of money to pay for the poor-house of said county," and after some time spent thereon, Mr. President resumed the chair, and Mr. Maynard, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 4 o'clock to-morrow afternoon.

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**TUESDAY, 4 O'CLOCK, P. M.—JANUARY 19, 1830.**

The Senate met pursuant to adjournment.

Mr. Benton presented the memorial of John B. Yates, praying legislative aid to the literary institution in Chitteningo, which was read and referred to the committee on literature, and ordered to be printed.

(See Document No. 39.)

Mr. Benton, from the committee on the judiciary, reported a bill, entitled "An act concerning masters in chancery;" which was read the first time, and by unanimous consent, was also read a second time, and committed to a committee of the whole, and ordered to be printed.

Mr. Hubbard, from the committee on claims, to which was referred the petition of Orson Smith, Lewis Smith, and Lewis C. Smith, praying for military bounty lands, in the right of their deceased father, reported in favor of the petitioners, and brought in a bill, entitled "An act for the relief of the heirs and legal representatives of



David Smith, deceased;" which was read the first time, and by unanimous consent, was also read a second time, and committed to a committee of the whole, and ordered to be printed.

(See Document No. 43.)

Mr. Mather, from the committee on enrolled bills, reported as correctly engrossed, two bills, of the following titles, to wit:

"An act concerning the printing of insolvent notices in the city and county of New-York."

"An act concerning the debt due the state from the president, managers and company of the Delaware and Hudson canal company,"

Mr. Sherman, pursuant to previous notice, asked for and obtained leave to bring in a bill, entitled "An act relative to the court of common pleas for the city and county of New-York."

Thereupon,

Mr. Sherman brought in said bill, which was read the first time, and by unanimous consent, was also read a second time, and committed to a committee of the whole, and ordered to be printed.

Mr. Sherman presented the petition of sundry merchants and others in the city of New-York, praying the passage of a law regulating frauds and abuses, arising from the disposition of goods in the hands of factors and agents, which was read, and referred to the committee on the judiciary, and ordered to be printed.

[See Document No. 46.]

Mr. McMartin presented the petition of John Gifford, praying compensation for thirteen months services rendered the state in the revolutionary war, which was read and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the supervisors of the county of Ulster to raise money to build a bridge over the Shawangunk kill;" which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the county clerk of the county of Steuben to procure a new seal for the court of common pleas in said county;" which was read the first time, and by unanimous consent, was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the sixth senate district.

On motion of Mr. Tracy,

*Resolved*, That the Senate reconsider their vote of yesterday on the final passage of the engrossed bill, entitled "An act concerning certain duties of the clerks of the supreme court."

Mr. Waterman asked for and obtained leave of absence for Mr. Enos, for two weeks from yesterday.

Mr. McMartin gave notice, that he would at some future time, ask leave to introduce a bill, entitled "An act relinquishing the condition of actual settlement reserved by the people of this state in cer-

tain grants of lands, by letters patent, issued by the commissioners of the land-office, pursuant to several acts therein named.

After the consideration of executive business, the Senate adjourned until 4 o'clock to-morrow afternoon.

---

**WEDNESDAY, 4 O'CLOCK, P. M.—JANUARY 20, 1830.**

The Senate met pursuant to adjournment.

Mr. Bronson presented the petition of sundry inhabitants of the towns of Clay and Volney, praying the Legislature to pass an act authorising John E. Hinman and H. W. Schroëppel to build a dam across the Oneida river, at Oak Orchard reef, which was read, and referred to a select committee, consisting of the members attending the Senate from the fifth senate district.

Mr. Bronson also presented the petition of Joanna Bethune, praying relief relative to a mill site on the Oswego canal, which was read, and referred to the committee on canals.

Mr. McMartin presented the petition of the directors of the central asylum for the deaf and dumb at Canajoharie, praying further legislative aid, which was read, and referred to the committee on literature.

Mr. Eaton presented five several petitions of sundry inhabitants of the city of Albany, praying the passage of a law for distributing the common school moneys apportioned to the city, and for the establishment of common district schools, which were read and referred to a select committee, consisting of the members attending the Senate from the third senate district.

Mr. Eaton presented the petition of the Watervliet turnpike company, praying amendments to their charter, which was read, and referred to the committee on roads and bridges.

Mr. Wheeler, from the select committee on the bill from the Assembly, entitled "An act to authorise the county clerk of the county of Steuben to procure a new seal for the court of common pleas in said county," reported the same without amendment, which was committed to a committee of the whole.

The sixth annual report of the directors of the central asylum for the instruction of the deaf and dumb, was received and read, and referred to the committee on literature.

[See Document No. 56.]

A report was received from the Comptroller, on the petition of Allen Hills and Thomas Spencer, administrators of Huet Hills, deceased, which was read, and together with the petition, referred to the committee on finance.

[*See Document No. 42.*]

A report from Abraham Dally, inspector of domestic spirits in the city and county of New-York, was received and read, and ordered to be laid on the table.

[*See Document No. 41.*]

On motion of Mr. Hubbard,

*Ordered*, That the committee on claims be discharged from the further consideration of the bill from the Assembly, entitled "An act for the relief of Lemuel Warren," and that the same be committed to a committee of the whole.

The engrossed bill, entitled "An act concerning the printing of insolvent notices in the city and county of New-York ;" was read the third time.

Thereupon,

Mr. Tracy made a motion that the further consideration of the said bill be indefinitely postponed.

*Ordered*, That the question on said motion be laid on the table.

The bill from the Assembly, entitled "An act to extend the time for the collection of taxes in the town of Greenbush, in the county of Rensselaer," with the engrossed amendment, was read the third time and passed.

*Ordered*, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendment therewith delivered.

Then the Senate adjourned until 4 o'clock to-morrow afternoon.

**THURSDAY, 4 O'CLOCK, P. M.—JANUARY 21, 1830.**

The Senate met pursuant to adjournment.

Mr. McMartin, from the committee on roads and bridges, reported, with an amendment, the bill from the Assembly; entitled "An act to authorise the supervisors of the county of Ulster to raise money to build a bridge over the Shawangunk kill ;" which was committed to a committee of the whole.

The bill entitled "An act to extend the time for the collection of taxes in the town of Greenbush, in the county of Rensselaer," was received from the Assembly, with a message that they had concurred in the amendment of the Senate to the same, and had amended the same accordingly.

The said amended bill having been examined,

*Ordered*, That the clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act relative to courts of common pleas and general sessions in and for the county of Greene;" which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to change the place of holding the annual meetings of the board of supervisors for the county of Chautauque;" which was read the first time, and by unanimous consent, was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the eighth senate district.

Mr. McMartin, pursuant to previous notice, asked for and obtained leave to bring in a bill, entitled "An act releasing the condition of making actual settlements upon lands granted in pursuance of certain acts therein mentioned."

Thereupon,

Mr. McMartin brought in said bill, which was read the first time, and by unanimous consent, was also read a second time, and referred to a select committee, consisting of Mr. McMartin, Mr. Tallmadge and Mr. Allen.

Mr. Mather, from the committee on enrolled bills, reported the bill, entitled "An act concerning certain duties of the clerks of the supreme court," as correctly engrossed.

Thereupon,

The said engrossed bill was read the third time and passed.

The engrossed bill, entitled "An act concerning the debt due the state from the president, managers and company of the Delaware and Hudson canal company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

#### FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Hubbard  | Mr. Schenck   |
| Mr. Armstrong | Mr. Mather   | Mr. Tallmadge |
| Mr. Benton    | Mr. Maynard  | Mr. Throop    |
| Mr. Boughton  | Mr. McCarty  | Mr. Todd      |
| Mr. Bronson   | Mr. McLean   | Mr. Warren    |
| Mr. Conklin   | Mr. McMartin | Mr. Wheeler   |
| Mr. Deitz     | Mr. Oliver   | Mr. Woodward  |
| Mr. Gere      | Mr. Rexford  |               |

23

*Ordered*, That the clerk deliver the said bill to the Assembly, and request their concurrence in the same.

The Senate then took up the consideration of the motion of Mr. Tracy of yesterday, to indefinitely postpone the further consideration of the bill entitled "An act concerning the printing of insolvent notices in the city and county of New-York."

Debates were had thereon, and,

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit :

**FOR THE NEGATIVE.**

|               |             |               |    |
|---------------|-------------|---------------|----|
| Mr. Allen     | Mr. Eaton   | Mr. Schenck   |    |
| Mr. Armstrong | Mr. Gere    | Mr. Sherman   |    |
| Mr. Beardsley | Mr. Hubbard | Mr. Tallmadge |    |
| Mr. Benton    | Mr. McCarty | Mr. Throop    |    |
| Mr. Bronson   | Mr. McLean  | Mr. Todd      |    |
| Mr. Conklin   | Mr. Oliver  | Mr. Wheeler   |    |
| Mr. Deitz     | Mr. Rexford | Mr. Woodward  | 21 |

**FOR THE AFFIRMATIVE.**

|              |              |            |   |
|--------------|--------------|------------|---|
| Mr. Boughton | Mr. McMartin | Mr. Tracy  |   |
| Mr. Mather   | Mr. Porter   | Mr. Warren |   |
| Mr. Maynard  |              |            | 7 |

Thereupon,

Mr. President put the question on the final passage of the said bill, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit :

**FOR THE AFFIRMATIVE.**

|               |             |               |    |
|---------------|-------------|---------------|----|
| Mr. Allen     | Mr. Deitz   | Mr. Rexford   |    |
| Mr. Armstrong | Mr. Eaton   | Mr. Schenck   |    |
| Mr. Beardsley | Mr. Gere    | Mr. Sherman   |    |
| Mr. Benton    | Mr. Hubbard | Mr. Tallmadge |    |
| Mr. Bronson   | Mr. McCarty | Mr. Throop    |    |
| Mr. Conklin   | Mr. Oliver  | Mr. Todd      | 18 |

**FOR THE NEGATIVE.**

|              |              |              |    |
|--------------|--------------|--------------|----|
| Mr. Boughton | Mr. McMartin | Mr. Warren   |    |
| Mr. Mather   | Mr. Porter   | Mr. Wheeler  |    |
| Mr. Maynard  | Mr. Tracy    | Mr. Woodward |    |
| Mr. McLean   |              |              | 10 |

*Ordered*, That the clerk deliver the said bill to the Assembly, and request their concurrence to the same.

The Senate then resolved itself into a committee of the whole on the bill entitled "An act concerning masters in chancery;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Allen, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Then the Senate adjourned until 4 o'clock, to-morrow afternoon.

**FRIDAY, 4 O'CLOCK, P. M.—JANUARY 22, 1830.**

The Senate met pursuant to adjournment.

Mr. McMartin, from the committee on roads and bridges, on the petition of the Nassau turnpike company, reported as follows, to wit:

The petitioners state that their whole line of road is under contract, but that the time allowed to complete the same, viz: the first of June next, will not enable them to complete it.

They also ask leave to make some alterations in the line of the road, but without stating either the place or extent of such alteration.

The committee believe there can be no reasonable objection to extend the time for completing the said road, and having been assured that the alterations sought are trifling, and only intended to shun abrupt hills, by a single line already laid, conclude that permission may be given, with the approbation of the same commissioners, who first laid out their road, and making them amenable to pay the damages. According to these views, the committee have prepared a bill which they have directed their chairman to report to the Senate.

Thereupon,

Mr. McMartin brought in said bill, entitled "An act for extending the time limited for completing the Nassau turnpike road," which was read the first time, and by unanimous consent, was also read a second time, and committed to a committee of the whole.

Mr. Benton, from the committee on the judiciary, reported with amendments, two bills from the Assembly, with the following titles:

"An act to confirm the title of Charlotte Selby to certain real estate in the city of New-York."

"An act for the relief of Robert Ferguson."

Which were committed to a committee of the whole.

Mr. Boughton, from the select committee on the bill from the Assembly, entitled "An act to change the place of holding the annual meetings of the board of supervisors of the county of Chautauque," reported the same without amendment, which was committed to a committee of the whole.

Mr. Mather, from the select committee on the bill from the Assembly, entitled "An act confirming the sale of a lot of ground in the town of Sodus, county of Wayne, made by the trustees of the First presbyterian society of the said town, to Enoch Turner," made a report against said bill, which, together with the report, was committed to a committee of the whole.

The bill entitled "An act to incorporate the Buffalo and Hamburg turnpike company," was received from the Assembly, with a message that they had passed the same without amendment; and was presented to his honor the Lieutenant-Governor, by the clerk.

Mr. McLean asked for and obtained leave of absence for Mr. Tallmadge for two days.

[SENATE JOURNAL.]

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Mr. Mather, from the committee on enrolled bills, reported the bill, entitled "An act concerning masters in chancery," as correctly engrossed.

Thereupon,

The said engrossed bill was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to authorise the supervisors of the county of Ulster to raise money to build a bridge over the Shawangunk kill;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported the same with an amendment; which was agreed to by the Senate, and the amendment ordered to be engrossed and the bill to a third reading.

After the consideration of executive business, the Senate adjourned until 10 o'clock to-morrow morning.

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**SATURDAY, 10 O'CLOCK, A. M.—JANUARY 23, 1830.**

The Senate met pursuant to adjournment.

The bill from the Assembly, entitled "An act to authorise the supervisors of the county of Ulster to raise money to build a bridge over the Shawangunk kill," with the engrossed amendment, was read the third time and passed.

*Ordered*, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendment therewith delivered.

The Senate then again resolved itself into a committee of the whole on the bill from the Assembly, entitled "An act to authorise the supervisors of Columbia county to raise an additional sum of money, to pay for the poor-house of said county;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Maynard, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Woodward, from the select committee on the bill from the Assembly, entitled "An act to authorise the supervisors of Westchester county to raise an additional sum of money to complete their poor-house establishment," reported the same without amendment, which was committed to a committee of the whole.

The Senate then resolved itself into a committee of the whole on the bill, entitled "An act authorising the Comptroller to assign to George McClure a certain bond and mortgage;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Sherman, from the said committee, reported the same without amendment,

which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to authorise the county clerk of the county of Steuben, to procure a new seal for the court of common pleas in said county;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Rexford, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the relief of Lemuel Warren;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill, entitled "An act for the relief of the heirs and legal representatives of David Smith, deceased;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill, entitled "An act relative to the court of common pleas for the city and county of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported the same with amendments, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The annual report of the inspector of flour and meal, in the city and county of New-York, was received, and ordered to be laid on the table and printed.

[See Document No. 79.]

*Ordered*, That when the Senate adjourns, it will adjourn to meet at 11 o'clock on Monday morning next.

Then the Senate adjourned until 11 o'clock on Monday morning.

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**MONDAY, 11 O'CLOCK, A. M.—JANUARY 25, 1830.**

The Senate met pursuant to adjournment.

Mr. McLean presented the petition of John C. McLean, praying compensation for lands sold by mistake for interest, which was read and referred to the committee on claims.

Mr. Armstrong presented the petition of the First presbyterian congregation of the town of Wolcott, praying an alteration of their



corporate name, which was read, and referred to the committee on the judiciary.

Mr. Bronson presented the petition of sundry inhabitants of the village of Oswego, praying the passage of a law relative to a part of the public lands in that village, which was read, and referred to the committee on the judiciary.

The bill entitled "An act concerning masters in chancery," was received from the Assembly, with a message that they had passed the same without amendment; and was presented to his honor the Lieutenant-Governor.

The bill from the Assembly entitled "An act to authorise the supervisors of Columbia county to raise an additional sum of money to pay for the poor-house of said county," was read the third time and passed.

*Ordered*, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, without amendment.

The bill from the Assembly, entitled "An act to authorise the county clerk of the county of Steuben to procure a new seal for the court of common pleas in said county," was read the third time, and the question on its final passage ordered to be laid on the table.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of the heirs and legal representatives of David Smith, deceased;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill, entitled "An act extending the time limited for completing the Nassau turnpike road;" and after some time spent thereon, Mr. President resumed the chair, and Mr. McLean, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to confirm the title of Charlotte Selby to certain real estate in the city of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Allen, from the said committee, reported that the committee had disagreed to said bill.

*Ordered*, That the consideration of said report be postponed until to-morrow.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to change the place of holding the annual meetings of the board of supervisors for the county of Chautauque;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Deitz, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act confirming the sale of a lot of ground in the town of Sodus, county of Wayne, made by the

trustees of the First presbyterian society of said town, to Enoch Turner ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge from the said committee, reported that the committee had disagreed to said bill ; which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the bill be rejected

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled " An act to authorise the supervisors of Westchester county to raise an additional sum to complete their poor-house establishment ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Warren, from the said committee reported the same without amendment, which report was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled " An act for the relief of Lemuel Warren ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported that the committee had disagreed to said bill ; which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the bill be rejected.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution to the Assembly.

Then the Senate adjourned until 11 o'clock, to-morrow morning.

**TUESDAY, 11 O'CLOCK, A. M.—JANUARY 26, 1830.**

The Senate met pursuant to adjournment.

Mr. McMartin presented the petition of George Gordwillie and James Irving, in behalf of the Associate church, praying like privileges as are enjoyed by the Reformed protestant Dutch church, which was read and referred to the committee on the judiciary.

Mr. Maynard presented the petition of the Rutgers medical faculty, in the city of New-York, praying for an act of incorporation ; and also the petition of Robert W. Wells, and others, students attending Rutgers medical faculty, in New-York, praying for an act of incorporation for Manhattan college, which were read and referred to the committee on literature, and ordered to be printed.

(See Documents No. 74 and No. 75.)

Mr. Mather presented the petition of sundry inhabitants of Onondaga county, praying the passage of an act to annex a part of the

town of Onondaga to the town of Camillus, which was read, and referred to the committee on the division of counties and towns.

Two messages from his honor the Lieutenant-Governor, delivered by his private secretary, were read, in the words following, to wit :

TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act concerning masters in chancery."

E. T. THROOP.

*Albany, January 25, 1830.*

TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to incorporate the Buffalo and Hamburg turnpike company."

E. T. THROOP.

*Albany, January 23, 1830.*

The bill entitled "An act to authorise the supervisors of the county of Ulster to raise money to build a bridge over the Shawangunk kill," was received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

*Ordered*, That the clerk return the same to the Assembly.

On motion of Mr. Hubbard,

*Ordered*, That the committee on claims be discharged from the further consideration of the petition of John C. McLean, and that the same be referred to the Surveyor-General.

On motion of Mr. McLean,

*Resolved*, That the Senate reconsider their vote of yesterday on the report of the committee of the whole, disagreeing to the bill from the Assembly, entitled "An act for the relief of Lemuel Warren."

*Ordered*, That said bill be recommitted to the committee on claims.

Mr. Mather, from the committee on enrolled bills, reported as correctly engrossed, two bills, of the following titles, to wit :

"An act relative to the court of common pleas for the city and county of New-York."

"An act extending the time limited for completing the Nassau turnpike road."

Thereupon,

The said engrossed bill entitled "An act relative to the court of common pleas for the city and county of New-York," was read the third time and passed.

The yeas and nays being moved and seconded, were as follows, to wit :

## FOR THE AFFIRMATIVE.

|               |              |               |    |
|---------------|--------------|---------------|----|
| Mr. Allen     | Mr. Hubbard  | Mr. Schenck   |    |
| Mr. Armstrong | Mr. McCarty  | Mr. Sherman   |    |
| Mr. Benton    | Mr. McLean   | Mr. Tallmadge |    |
| Mr. Bronson   | Mr. McMartin | Mr. Throop    |    |
| Mr. Conklin   | Mr. Oliver   | Mr. Todd      |    |
| Mr. Gere      | Mr. Rexford  | Mr. Woodward  | 18 |

## FOR THE NEGATIVE.

|               |             |             |   |
|---------------|-------------|-------------|---|
| Mr. Beardsley | Mr. Mather  | Mr. Warren  |   |
| Mr. Boughton  | Mr. Maynard | Mr. Wheeler |   |
| Mr. Deitz     | Mr. Tracy   |             | 8 |

The said engrossed bill entitled "An act extending the time limited for completing the Nassau turnpike road," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |    |
|---------------|--------------|---------------|----|
| Mr. Allen     | Mr. Hubbard  | Mr. Sherman   |    |
| Mr. Armstrong | Mr. Mather   | Mr. Tallmadge |    |
| Mr. Beardsley | Mr. Maynard  | Mr. Throop    |    |
| Mr. Benton    | Mr. McCarty  | Mr. Todd      |    |
| Mr. Boughton  | Mr. McLean   | Mr. Tracy     |    |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |    |
| Mr. Conklin   | Mr. Oliver   | Mr. Wheeler   |    |
| Mr. Deitz     | Mr. Rexford  | Mr. Woodward  |    |
| Mr. Gere      | Mr. Schenck  |               | 26 |

*Ordered*, That the clerk deliver said bills to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act to authorise the supervisors of Westchester county to raise an additional sum to complete their poor-house establishment," was read the third time and passed.

*Ordered*, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, without amendment.

The bill from the Assembly, entitled "An act to change the place of holding the annual meetings of the board of supervisors for the county of Chautauque," with the engrossed amendment, was read the third time and passed.

*Ordered*, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendment therewith delivered.

The Senate then took up the consideration of the report of the committee of the whole on the bill from the Assembly, entitled "An act to confirm the title of Charlotte Selby to certain real estate in the city of New-York;" which was against the same, and was again read in the words following to wit:

"All that certain lot of land situate in the ninth ward of the city of New-York, fronting on Broadway, and thence extending to Crosby-street, devised by the last will and testament of Skeffington Selby, deceased, to his widow Charlotte Selby, for life, with remainder to Elizabeth Johnson, for life, with remainder to Robert Johnson, in fee, and since released and confirmed by the said devisees in remainder, to the said Charlotte Selby, in fee, be and the same is hereby declared to be released and confirmed to the said Charlotte Selby, her heirs and assigns forever, free, clear and discharged of and from all claims and demands of the people of this state, by reason of the alienage of the said Elizabeth Johnson and Robert Johnson."

Mr. President put the question on agreeing to said report, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

#### FOR THE AFFIRMATIVE.

|               |             |             |
|---------------|-------------|-------------|
| Mr. Allen     | Mr. Gere    | Mr. Schenck |
| Mr. Armstrong | Mr. Mather  | Mr. Sherman |
| Mr. Benton    | Mr. Maynard | Mr. Todd    |
| Mr. Boughton  | Mr. McLean  | Mr. Tracy   |
| Mr. Conklin   | Mr. Porter  | Mr. Wheeler |
| Mr. Deitz     | Mr. Rexford |             |

17

#### FOR THE NEGATIVE.

|               |               |              |
|---------------|---------------|--------------|
| Mr. Beardsley | Mr. Oliver    | Mr. Throop   |
| Mr. Bronson   | Mr. Tallmadge | Mr. Woodward |
| Mr. McCarty   |               |              |

7

Thereupon,

*Resolved*, That the bill be rejected.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

After the consideration of executive business, the Senate adjourned until 11 o'clock, to-morrow morning.

WEDNESDAY, 11 O'CLOCK, A. M.—JANUARY 27, 1830.

The Senate met pursuant to adjournment.

Mr. Schenck presented the petition of sundry inhabitants of North Hempstead, Queens county, praying a law empowering commissioners to sell and convey certain lands, which was read, and referred to the committee on the judiciary.

Mr. Bronson presented the petition of Ogden Mallory, a contractor on the Oswego canal, praying compensation for losses sustained in constructing locks on said canal, which was read, and referred to the committee on canals.

Mr. Benton, from the committee on the judiciary, to which was referred the petition of sundry merchants and others, of the city of New-York, praying for the passage of a law to prevent frauds and abuses in the disposition of goods in the hands of factors, consignees and agents, made a report in favor of the prayer of the petitioners, and brought in a bill entitled "An act for the amendment of the law relative to principals and factors or agents," which was read the first time, and by unanimous consent, was also read a second time, and committed to a committee of the whole, and ordered to be printed.

[See Document No. 55.]

*Ordered*, That double the usual number of copies of said report be printed.

A message was received from his honor the Lieutenant-Governor, delivered by his private secretary, transmitting the report of the special attorney appointed to prosecute the abductors of William Morgan, which was read, and referred to the committee on the judiciary.

(See Document No. 67.)

A communication from Samuel M. Hopkins, one of the commissioners appointed to superintend the building of a new state prison in the first or second senate districts, was received and read, and referred to the committee on state prisons.

[See Document No. 118.]

The annual report of the inspector of flour in the city of Albany, was received and read, and ordered to be laid on the table.

[See Document No. 64.]

A report was received from the Surveyor-General, on the petition of Joshua Sherwin, which was read, and, together with the petition, referred to the committee on claims.

[SENATE JOURNAL.] I

(See Document No. 58.)

Mr. McMartin gave notice that he would ask leave to introduce a bill entitled "An act extending the time for collection of taxes in the town of Johnstown."

Mr. Maynard made a motion that the message of his honor the Lieutenant-Governor, transmitting the report of the special attorney appointed to prosecute the abductors of William Morgan, be printed.

Debates were had thereon, and,

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit :

**FOR THE AFFIRMATIVE.**

|               |              |               |    |
|---------------|--------------|---------------|----|
| Mr. Allen     | Mr. Mather   | Mr. Sherman   |    |
| Mr. Armstrong | Mr. Maynard  | Mr. Tallmadge |    |
| Mr. Boughton  | Mr. McCarty  | Mr. Throop    |    |
| Mr. Bronson   | Mr. McLean   | Mr. Tracy     |    |
| Mr. Conklin   | Mr. McMartin | Mr. Warren    |    |
| Mr. Deitz     | Mr. Porter   | Mr. Wheeler   |    |
| Mr. Gere      | Mr. Schenck  | Mr. Woodward  | 21 |

**FOR THE NEGATIVE.**

|               |             |             |   |
|---------------|-------------|-------------|---|
| Mr. Beardsley | Mr. Hubbard | Mr. Rexford |   |
| Mr. Benton    | Mr. Oliver  | Mr. Todd    | 6 |

Mr. McMartin, pursuant to notice this day given, asked for, and by unanimous consent, obtained leave to bring in a bill, entitled "An act extending the time for collection of taxes in the town of Johnstown."

Thereupon,

Mr. McMartin brought in said bill, which was read the first time, and by unanimous consent, was also read a second time, and ordered to be engrossed for a third reading.

Thereupon,

The said bill being engrossed, it was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

Mr. Bronson gave notice that he would, at some future day, ask leave to introduce a bill to incorporate the Jefferson cotton mills.

Mr. Tallmadge gave notice that he would, on some future day, ask leave to introduce a bill, entitled "An act to vest certain powers in the supreme court commissioner appointed for the village of Poughkeepsie, in the county of Dutchess."

Then the Senate adjourned until 11 o'clock to-morrow morning.

**THURSDAY, 11 O'CLOCK, A. M.—JANUARY 28, 1830.**

The Senate met pursuant to adjournment.

Mr. Sherman presented the petition of Margaret Wool, widow of Captain Josiah Wool, of the army of the revolution, praying compensation for bounty lands, which was read, and referred to the committee on claims.

Mr. Sherman also presented the petition of the commissioners of the Merchants' exchange bank, of the city of New-York, praying for an extension of time to fill up their capital stock, and to reduce the amount thereof, which was read, and referred to the committee on banks and insurance companies.

Mr. Todd, from the committee on finance, reported without amendment, the bill from the Assembly entitled "An act to amend an act passed February 5, 1829, entitled 'An act to amend the act entitled 'An act for the disposal of lands ceded to the people of this state,' passed March 12, 1823," which was committed to a committee of the whole.

Mr. McMartin, from the committee on roads and bridges, on the petition of the president and directors of the Watervliet turnpike company, reported a bill, entitled "An act concerning the Watervliet turnpike company;" which was read the first time, and by unanimous consent, was also read a second time, and committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act relative to the superior court and general sessions of the city of New-York;" which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act concerning the state prison at Mount-Pleasant;" which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on state prisons.

Mr. Woodward asked for and obtained leave of absence for two weeks.

Mr. Todd asked for and obtained leave of absence for one week.

Mr. Maynard moved a resolution in the words following, to wit:

*Resolved*, That the Hon. John C. Spencer, the special counsel employed in pursuance of the act passed April 15th, 1828, and the act of the last session of the legislature continuing the same, be required to report as soon as practicable, to the Senate, all the testimony given on the late trial of Elihu Mather, in the county of Orleans, on the challenges of two jurors for favor, in consequence of being members of a particular society, association or fraternity, and who were pronounced by the triers to be not indifferent, as stated in the report made by the said counsel, and transmitted to the Senate by the executive. And also to state the points or questions of law, decided or discussed on said challenges, as affecting the question of the indifferency of the said jurors.



*Ordered*, That said resolution be laid on the table.

Mr. Bronson asked for and obtained leave of absence for Mr. Mather, for ten days.

Mr. Hubbard asked for and obtained leave of absence for Mr. Eaton for ten days.

Mr. Sherman, from the committee on enrolled bills, reported as correctly engrossed, the bill entitled "An act authorising the comptroller to assign to George McClure a certain bond and mortgage."

Thereupon,

The said engrossed bill was read the third time and passed.

*Ordered*, That the clerk deliver the said bill to the Assembly, and request their concurrence to the same.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for the amendment of the law relative to principals and factors or agents," and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act concerning the Watervliet turnpike company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Bronson, from the said committee, reported progress, and asked for and obtained leave to sit again.

The bill entitled "An act extending the time for collection of taxes in the town of Johnstown," was received from the Assembly, with a message that they had passed the same, with the amendment therewith delivered.

The said amendment having been read,

*Resolved*, That the Senate do concur with the Assembly in their amendment to said bill.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

Mr. Tallmadge, pursuant to previous notice, asked for and obtained leave to bring in a bill, entitled "An act to vest certain powers in the supreme court commissioner appointed for the village of Poughkeepsie, in the county of Dutchess."

Thereupon,

Mr. Tallmadge brought in said bill, which was read the first time, and by unanimous consent was also read the second time, and committed to a committee of the whole.

The bill entitled "An act extending the time for the collection of taxes in the town of Johnstown," was returned from the Assembly, and presented to his honor the Lieutenant-Governor, by the clerk.

Then the Senate adjourned until 11 o'clock to-morrow morning.

**FRIDAY, 11 O'CLOCK, A. M.—JANUARY 29, 1830.**

The Senate met pursuant to adjournment.

Mr. McLean presented the petition of Thaddeus Joy and others, praying for an alteration in the law regulating the passage of the locks on the canals by boats, which was read, and referred to the canal board.

Mr. McMartin presented the petition of John M. Borst, Matthias J. Bovee and others, inhabitants of the county of Montgomery, praying that an aqueduct may be constructed over the Mohawk river at Amsterdam, which was read, and referred to the committee on canals.

Mr. Hubbard, from the committee on claims, to which was referred the petition of Margaret Wool, praying for bounty lands in the right of her deceased husband, reported as follows, to wit :

That Josiah Wool, the husband of the petitioner, was a captain of artillery, in the regiment of Col. John Lamb, in the New-York line of the continental army. He commenced his service at the earliest period of the revolutionary war, as a lieutenant ; and at the organization of the army in 1777, was promoted to the rank of captain, in which capacity he continued faithfully to serve his country until 1780, when he resigned. He was not therefore entitled to bounty lands under the resolution of 1783.

In 1813, the state, though under no obligation to do so, in consideration of his gallant services, did pass a law giving to his heirs 750 acres of land, which has been located for their benefit. This grant was made as a full satisfaction for all claims. The committee are therefore of opinion, that the state is neither legally nor equitably bound to make any further grant, and offer the following resolution :

*Resolved*, That the petitioner have leave to withdraw her petition.

*Ordered*, That said report be committed to a committee of the whole.

Mr. Throop, from the committee on state prisons, reported, with an amendment, the bill from the Assembly, entitled "An act concerning the state prison at Mount-Pleasant," which was committed to a committee of the whole.

Mr. Benton, from the committee on the judiciary, on the petition of George Gordwillie and James Irving, in behalf of the Associate church, reported a bill, entitled "An act to amend the act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813," which was read the first time, and by unanimous consent, was also read a second time, and committed to a committee of the whole.

The bill entitled "An act to change the place of holding the annual meetings of the board of supervisors for the county of Chautauque," was received from the Assembly, with a message that they do not concur with the Senate in their amendment to said bill.

Thereupon,

**Resolved,** That the Senate recede from their amendment to said bill.

**Ordered,** That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

Mr. Warren asked for, and obtained leave of absence, for one week from to-morrow.

The Senate then took up the consideration of the resolution moved yesterday by Mr. Maynard, relative to calling upon the Hon. John C. Spencer, special counsel employed in pursuance of the act passed April 15, 1828, and the act of the last session of the legislature, to report to the Senate the testimony given on the trial of Elihu Mather, in the county of Orleans, on the challenges of two jurors for favor, which, on motion of Mr. Benton, was amended, and agreed to, in the words following, to wit:

**Resolved,** That the Hon. Addison Gardiner, circuit judge of the eighth circuit, of the state of New-York, be required to report as soon as practicable, to the Senate, all the testimony given on the late trial of Elihu Mather, in the county of Orleans, on the challenges of two jurors for favor, in consequence of being members of a particular society, association, or fraternity, and who were pronounced by the triers to be not indifferent, as stated in the report made by the special counsel, and transmitted to the Senate by the Executive. And also to state the points or questions of law, decided or discussed on said challenges, or affecting the question of the indifferency of the said jurors,

On motion of Mr. Beardsley,

**Resolved,** That the communication of the Surveyor-General, of April 2, 1829, (Senate journal of 1829, page 403,) relative to the claim of this state to a portion of Coxe's patent, by the attainer of John Taber Kempe; and the resolution of May 4, 1829, relating to the same, (see Senate journal, p. 580, of 1829,) be referred to the committee on the judiciary, and that they proceed in the investigation of said claim.

Mr. President put the question on the final passage of the bill from the Assembly, entitled "An act to authorise the county clerk of the county of Steuben to procure a new seal for the court of common pleas in said county," and it was decided in the affirmative.

**Ordered,** That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, without amendment.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act concerning the state prison at Mount-Pleasant;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tracy, from the said committee, reported the same with an amendment; which report was agreed to by the Senate, and the amendment ordered to be engrossed, and the bill to a third reading.

A message was received from the Assembly, delivered by Mr. Paige and Mr. Livingston, informing the Senate, that the Assembly had appointed the Hon. Eli Savage, Speaker pro tem. of that House.

The bill from the Assembly, entitled "An act concerning the state prison at Mount-Pleasant," with the engrossed amendment, was read the third time and passed.

*Ordered*, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendment therewith delivered.

The Senate then again resolved itself into a committee of the whole on the bill entitled "An act for the relief of the heirs and legal representatives of David Smith, deceased;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported progress, and asked for and obtained leave to sit again.

The bill entitled "An act concerning the state prison at Mount-Pleasant," was received from the Assembly, with a message, that they had concurred in the amendment of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined :

*Ordered*, That the clerk return the same to the Assembly.

Then the Senate adjourned until 11 o'clock to-morrow morning.

**SATURDAY, 11 O'CLOCK, A. M.—JANUARY 30, 1830.**

The Senate met pursuant to adjournment.

Mr. Hubbard, from the committee on claims, on the petition of Joshua Sherwin, and the report of the Surveyor-General thereon, reported the following resolution :

*Resolved*, That the petitioner have leave to withdraw his petition. Which was agreed to by the Senate.

Mr. Benton, from the committee on the judiciary, reported, with an amendment, the bill from the Assembly, entitled "An act relative to the superior court and general sessions of the city of New-York," which was committed to a committee of the whole.

A message from his honor the Lieutenant-Governor, delivered by his private secretary, was read, in the words following, to wit :

TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act extending the time for the collection of taxes in the town of Johnstown."

E. T. THROOP.

*Albany, January 28, 1830.*

A bill was received from the Assembly for concurrence, entitled "An act to extend for a limited period the charter of the Merchants'

Bank in the city of New-York," which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Frederick Stanley," which was read the first time, and by unanimous consent, was also read a second time, and referred to the Surveyor-General.

Mr. Sherman asked for and obtained leave of absence for Mr. Allen, for twelve days from yesterday.

Mr. McMartin asked for and obtained leave of absence for ten days.

The Senate then again resolved itself into a committee of the whole on the bill, entitled "An act for the relief of the heirs and legal representatives of David Smith, deceased," and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported the same with amendments, and an alteration of the title, so as to read "An act for the relief of the children of David Smith, deceased, and their heirs."

*Ordered*, That said report be laid on the table.

Then the Senate adjourned until 11 o'clock on Monday morning next.

## **MONDAY, 11 O'CLOCK, A. M.—FEBRUARY 1, 1830.**

The Senate met pursuant to adjournment.

Mr. McLean presented the petition of Ozias Brownson and others, praying that an aqueduct may be constructed over the Mohawk river at Amsterdam, which was read and referred to the committee on canals.

A report was received from the Surveyor-General, on the petition of John C. McLean, which was read, and, together with the petition, referred to the committee on claims.

[See Document No. 77.]

On motion of Mr. Hubbard,

*Resolved*, That the Surveyor-General report to the Senate, whether any lands remain unappropriated, which were set aside as bounty lands to revolutionary soldiers, in the New-York line of the continental army of the revolution; and if none remain unsold, then the average prices for which the last were sold.

On motion of Mr. McLean,

*Ordered*, That the committee on literature be discharged from the further consideration of the petition of the directors of the Central asylum for the deaf and dumb at Canajoharie, and also the 6th annual

report of the said directors, and that the same be referred to the superintendent of common schools.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to vest certain powers in the supreme court commissioner appointed for the village of Poughkeepsie, in the county of Dutchess;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Conklin, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act concerning the Watervliet turnpike company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Bronson, from the said committee, reported the same with amendments, which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend an act passed February 5th, 1829, entitled 'An act to amend the act entitled 'An act for the disposal of lands ceded to the people of this state,' passed March 12th, 1823;'" and after some time spent thereon, Mr. President resumed the chair, and Mr. Armstrong, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled "An act to amend an act, entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813;" and after some time spent thereon, Mr. President resumed the chair, and Mr. McLean, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act relative to the superior court and general sessions of the city of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported the same with amendments; which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

Then the Senate adjourned until 11 o'clock to-morrow morning.

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**TUESDAY, 11 O'CLOCK, A. M.—FEBRUARY 2, 1830.**

The Senate met pursuant to adjournment.

Mr. Maynard presented the petition of the trustees of Hamilton academy, praying for an alteration of the law for the distribution of

[SENATE JOURNAL.]

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the literature fund, which was read, and referred to the committee on literature.

Mr. McLean presented the petition of Peleg Bragg, praying for compensation for injury sustained by the construction of the Champlain canal, which was read, and referred to the committee on canals.

Mr. Bronson presented the petition of Gustavus Jewell, and others, praying compensation for the destruction of a dam on the Oneida river, by the canal commissioners, which was read, and referred to a select committee consisting of the members attending the Senate from the fifth senate district.

Mr. Benton, from the committee on the judiciary, to which was referred the petition of Mary Seymour, praying the passage of a law annulling a marriage contract entered into by the petitioner with one John M. Seymour, made a report against the prayer of the same, which was agreed to by the Senate.

Thereupon,

*Resolved*, That the petitioner, Mary Seymour, have leave to withdraw her petition.

(See Document No. 80.)

Mr. Benton, from the committee on the judiciary, to which was referred the petition of Sundry inhabitants of the village of Oswego relative to certain public lands, made a favorable report thereon, and brought in a bill entitled "An act in relation to certain public lands in the village of Oswego;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

(See Document No. 78.)

Six bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to extend for a limited period, the charter of the City bank of New-York:"

"An act to extend for a limited period, the charter of the Bank of America, in the city of New-York:"

"An act to extend for a limited period, the charter of the Unoin bank, in the city of New-York:"

"An act to extend for a limited period, the charter of the Bank of New-York, in the city of New-York:"

"An act to extend for a limited period, the charter of the Phœnix bank, in the city of New-York:"

"An act to extend for a limited period, the charter of the Tradesmen's bank, in the city of New-York:"

Which were severally read the first time, and by unanimous consent were also read the second time, and referred to the committee on banks and insurance companies.

Two bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to provide for building a fire-proof clerk's office in the county of Cayuga:"

"An act to divide the town of Romulus, in the county of Seneca:"

Which were severally read the first time, and by unanimous consent were also read the second time, and referred to a select committee, consisting of the members attending the Senate from the seventh senate district.

Mr. Tracy, from the committee on enrolled bills, reported as correctly engrossed, three bills of the following titles, to wit:

"An act to vest certain powers in the supreme court commissioner appointed for the village of Poughkeepsie, in the county of Dutchess:"

"An act concerning the Watervliet turnpike company:"

"An act to amend the act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813."

Thereupon,

The said engrossed bill, entitled "An act to vest certain powers in the supreme court commissioner appointed for the village of Poughkeepsie, in the county of Dutchess," was read the third time and passed.

*Ordered*, That the clerk deliver the said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly entitled "An act to amend an act passed February 5, 1829, entitled 'An act to amend the act entitled 'An act for the disposal of lands ceded to the people of this state,' passed March 12th, 1823," was read the third time, and the question on its final passage ordered to be laid on the table.

The bill from the Assembly entitled "An act relative to the superior court and general sessions of the city of New-York," with the engrossed amendments, was read the third time, and the question on its final passage ordered to be laid on the table.

After the consideration of executive business, the Senate adjourned until 11 o'clock to-morrow morning.

**WEDNESDAY, 11 O'CLOCK, A. M.—FEBRUARY 3, 1830.**

The Senate met pursuant to adjournment.

Mr. Enos presented the petition of Samuel Smith, praying the passage of a law to confirm his title to certain real estate, which was read and referred to the committee on the judiciary.

Mr. Hubbard, from the committee on claims, on the petition of John C. McLean, and the report of the Surveyor-General thereon, reported a bill entitled "An act for the relief of John C. M'Lean," which was read the first time, and by unanimous consent was also read the second time, and committed to a committee of the whole.



Mr. Benton, from the committee on the judiciary, on the petition of sundry inhabitants of North-Hempstead, Queens county, reported a bill entitled "An act to authorise the town of North-Hempstead, in the county of Queens, to sell its common lands, and to appoint commissioners for that purpose;" which was read the first time, and by unanimous consent, was also read a second time, and committed to a committee of the whole.

Mr. Throop from the committee on the following bills from the Assembly, reported the same severally without amendment, to wit :

"An act to divide the town of Romulus, in the county of Seneca:"

"An act to provide for building a fire-proof clerk's office in the county of Cayuga:"

Which were committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act for the better security of mechanics and others erecting buildings in the city and county of New-York;" which was read the first time, and by unanimous consent, was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the first senate district.

Mr. Schenck gave notice of his intention to introduce a bill for the relief of the clerk of the county of Queens, by repealing so much of the Revised Statutes relative to the location of the clerk's office of said county within one mile of the court-house, and authorising the board of supervisors to establish its location.

Mr. Benton moved a resolution in the words following, to wit :

*Resolved*, (if the Assembly concur,) That twenty-seven copies of the documents and reports, in addition to the number now required, shall be printed and delivered to the Secretary of State, to be distributed by him, according to the requisitions now existing by statute and the joint resolutions of the Senate and Assembly.

The said resolution was read the first time, and by unanimous consent, was also read a second time, and ordered to a third reading.

Mr. Tallmadge asked for and obtained leave of absence for Mr. Rexford for two weeks.

A report was received from the Surveyor-General, in compliance with a resolution of the Senate of the 1st instant, relative to military bounty lands, which was read and ordered to be laid on the table.

[See Document No. 82.]

The Senate then took up the consideration of the report of the committee of the whole on the bill entitled "An act for the relief of the children of David Smith, deceased, and their heirs."

Thereupon,

*Ordered*, That the said bill be re-committed to a committee of the whole.

The Senate then again resolved itself into a committee of the whole on said bill, and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on

the report of the committee on claims, on the petition of Margaret Wool, and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported, that the committee had agreed to said report, which was agreed to by the Senate.

Thereupon,

*Resolved*, That the petitioner have leave to withdraw her petition.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of John C. McLean;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge from said committee, reported progress and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act in relation to certain public lands in the village of Oswego;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Boughton, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to authorise the town of North-Hempstead, in the county of Queens, to sell its common lands, and to appoint commissioners for that purpose;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Maynard, from the said committee, reported the same with an amendment, which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to provide for the building a fire-proof clerk's office in the county of Cayuga;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Sherman, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to divide the town of Romulus, in the county of Seneca;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Beardsley, from the said committee, reported the same with an amendment.

Thereupon,

The third section of said report was again read in the words following, to wit:

"The supervisors, overseers of the poor, and the trustees of the gospel and school lands, of the town of Romulus and Varick, shall, as soon as may be after the first town-meeting therein, upon notice to be given by the said supervisors, or one of them, meet together at such place as the said supervisors shall appoint, and apportion the poor and poor monies, and other funds of said towns, agreeably to the assessment roll of the town of Romulus, for the year one thousand eight hundred and twenty-nine, and each of said towns shall thereafter support its own poor, until the county of Seneca shall abolish the distinction between town and county poor."

Mr. Throop made a motion to amend said report, by striking out at the end of said section, the words "until the county of Seneca shall abolish the distinction between town and county poor."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit :

**FOR THE AFFIRMATIVE.**

|               |               |             |    |
|---------------|---------------|-------------|----|
| Mr. Armstrong | Mr. Oliver    | Mr. Throop  |    |
| Mr. Beardsley | Mr. Sherman   | Mr. Tracy   |    |
| Mr. Deitz     | Mr. Tallmadge | Mr. Wheeler |    |
| Mr. McCarty   |               |             | 10 |

**FOR THE NEGATIVE.**

|              |             |             |   |
|--------------|-------------|-------------|---|
| Mr. Benton   | Mr. Conklin | Mr. Hubbard |   |
| Mr. Boughton | Mr. Enos    | Mr. Maynard |   |
| Mr. Bronson  | Mr. Gere    | Mr. McLean  | 9 |

Thereupon,

The Senate agreed to the report of the committee of the whole, as amended, and the bill was ordered to a third reading.

Then the Senate adjourned until 11 o'clock to-morrow morning.

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**THURSDAY, 11 O'CLOCK, A. M.—FEBRUARY 4, 1830.**

The Senate met pursuant to adjournment.

Mr. McCarty presented the petition of sundry inhabitants of the counties of Rensselaer and Washinton, praying for an act to incorporate the Phoenix bridge company, which was read, and referred to the committee on roads and bridges.

Mr. McCarty also presented the petition of the president and directors of the Lansingburgh dry dock and hydraulic company, praying for sundry amendments to their charter, which was read, and referred to a select committee, consisting of the members attending the Senate from the third senate district.

Mr. Tallmadge presented the petition of the Schaghticoke Point bridge company, praying for an alteration of their charter, which was read, and referred to the committee on roads and bridges.

Mr. Sherman presented the petition of Louis Benoit, praying to be authorised to hold real estate in this state, which was read, and referred to the committee on the judiciary.

The memorial of the common council of the city of New-York, submitting to the legislature sundry amendments proposed to the charter of said city, was read, and referred to the committee on the judiciary.

A report from the Surveyor-General, on the bill from the Assembly, entitled "An act for the relief of Frederick Stanley," was received and read, and together with the bill, ordered to be referred to the committee on claims.

(See Document No. 115.)

A bill was received from the Assembly for concurrence, entitled "An act confirming the proceedings of justices of the peace and commissioners of deeds in certain cases;" which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Maynard,

*Resolved*, That the Regents of the University be required to report to the Senate, the amount of money belonging to the literature fund, by them distributed in each year, from the year 1823, to the year 1830, inclusive, distinguishing the amount distributed to each senate district in each year.

Mr. Throop asked for, and obtained leave of absence for Mr. Wheeler, for two weeks from to-morrow.

The following resolution was read the third time and passed.

*Resolved*, (if the Assembly concur,) That twenty-seven copies of the documents and reports, in addition to the number now required, shall be printed and delivered to the Secretary of State, to be distributed by him, according to the requisitions now existing by statute and the joint resolutions of the Senate and Assembly.

*Ordered*, That the clerk deliver a copy of said resolution to the Assembly.

Mr. Tracy, from the committee on enrolled bills, reported, as correctly engrossed, two bills of the following titles, to wit:

"An act in relation to certain public lands in the village of Oswego:"

"An act to authorise the town of North-Hempstead, in the county of Queens, to sell its common lands, and to appoint commissioners for that purpose:"

Thereupon,

The said engrossed bill entitled "An act in relation to certain public lands in the village of Oswego," was read the third time and passed.

*Ordered*, That the clerk deliver the said bill to the Assembly, and request their concurrence to the same.

The said engrossed bill entitled "An act to authorise the town of North-Hempstead, in the county of Queens, to sell its common lands, and to appoint commissioners for that purpose," was read the third time, and the question on its final passage ordered to be laid on the table.

The bill from the Assembly, entitled "An act to divide the town of Romulus, in the county of Seneca," was read the third time and passed.

The bill from the Assembly, entitled "An act to provide for building a fire-proof clerk's office in the county of Cayuga," was read the third time and passed.

Mr. President put the question on the final passage of the bill from the Assembly, entitled "An act to amend an act passed February 5th, 1829, entitled 'An act to amend the act entitled 'An act for the disposal of lands ceded to the people of this state,' passed March 12, 1823,'" and it was decided in the affirmative.

*Ordered*, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The Senate then again resolved itself into a committee of the whole on the bill, entitled "An act for the relief of the children of David Smith, deceased, and their heirs," and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported the same with amendments, which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Then the Senate adjourned until 11 o'clock to-morrow morning.

#### **FRIDAY, 11 O'CLOCK, A. M.—FEBRUARY 5, 1830.**

The Senate met pursuant to adjournment.

Mr. Maynard presented the petition of the Oneida institute and Utica and Whitesborough academies, praying for a law to equalize the distribution of the income of the literature fund, which was read, and referred to the committee on literature.

Mr. Deitz presented four several petitions of sundry inhabitants of the counties of Schoharie and Greene, and of the city of New-York, praying for the passage of a law incorporating a company to construct a rail road from Catskill to Canajoharie, which were read, and referred to a select committee consisting of Mr. Benton, Mr. Deitz and Mr. Sherman.

Mr. Hubbard, from the committee on claims, reported without amendment, the bill from the Assembly, entitled "An act for the relief of Frederick Stanley," which was committed to a committee of the whole.

The bill entitled "An act to vest certain powers in the supreme court commissioner appointed for the village of Poughkeepsie, in the county of Dutchess," was received from the Assembly, with a message that they had passed the same without amendment; and was presented to his honor the Lieutenant-Governor, by the clerk.

Two bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act to divide the town of Marcellus, in the county of Onondaga :"

"An act to erect the town of Amity, in the county of Allegany :"

Which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the division of counties and towns.

Two bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act authorising the appointment of a supreme court commissioner, to reside in the county of Oswego :"

"An act for the relief of Alida Vrooman and others :"

Which were severally read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act to establish the Albany and Bethlehem turnpike company ;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Justus Burt ;" which was read the first time and by unanimous consent, was also read a second time, and referred to the committee on claims.

Mr. President put the question on the final passage of the bill from the Assembly, entitled "An act relative to the superior court, and general sessions of the city of New-York," with the engrossed amendments, and it was decided in the affirmative.

*Ordered*, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

Mr. Tracy, from the committee on enrolled bills, reported the bill entitled "An act for the relief of the children of David Smith and their heirs," as correctly engrossed ; and that it requires the votes of two-thirds of all the members elected to the Senate to pass the same.

Theroupon,

The said engrossed bill was read the third time, and the question on its final passage ordered to be laid on the table.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of John C. McLean ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported the same with an amendment.

*Ordered*, That the consideration of said report be postponed until to-morrow.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act for the amendment of the law relative to principals and factors or agents," and after some time spent thereon, Mr. President resumed the chair, and Mr. Waterman, from

[SENATE JOURNAL.]

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the said committee reported progress, and asked for and obtained leave to sit again.

After the consideration of executive business, the Senate adjourned until 11 o'clock to-morrow morning.

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**SATURDAY, 11 O'CLOCK, A. M.—FEBRUARY 6, 1830.**

The Senate met pursuant to adjournment.

Mr. Maynard presented sundry documents in support of the petition of Allen Hills and Thomas Spencer, which were read, and referred to the committee on finance.

Mr. Waterman presented the petition of John R. Drake and James Pumpelly, praying for a law authorising the erection of a mill dam in the Susquehannah river, which was read, and referred to a select committee, consisting of the members attending the Senate from the sixth senate district.

Mr. Throop presented the petition of sundry inhabitants of Geneva, in the county of Ontario, praying for the passage of a lien law, which was read, and referred to the select committee to which the bill from the Assembly upon that subject was referred.

Mr. Enos, from the committee on claims, reported without amendment, the bill from the Assembly, entitled "An act for the relief of Justus Burt," which was referred to a committee of the whole.

Mr. Benton, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act confirming the proceedings of justices of the peace and commissioners of deeds in certain cases," which was committed to a committee of the whole.

Mr. Waterman, from the select committee on the petition of John R. Drake and James Pumpelly, reported, that the committee had prepared a bill, entitled "An act authorising John R. Drake and James Pumpelly to erect a dam in the Susquehannah river;" which by leave was brought in and read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

A report from the canal board, on the petition of Thaddeus Joy and others, was received and read, and referred to the committee on canals.

[See Document No. 98.]

A copy of a resolution was received from the Assembly, informing that they had concurred in the resolution of the Senate of the 4th instant, relative to printing an additional number of the documents and reports of the two houses.

A copy of a resolution from the Assembly, was received and read, in the words following, to wit :

*Resolved*, (if the Senate concur herein,) That this legislature will, on Friday the 12th instant, at 12 o'clock at noon, proceed to the choice of a treasurer of this state.

*Resolved*, That the Senate do concur with the Assembly in their said resolution.

*Ordered*, That the clerk deliver a copy of the preceding resolution to the Assembly.

The bill entitled "An act respecting the court-house and jail in the county of Broome," was received from the Assembly, with a message that they had passed the same, with the amendments therewith delivered.

*Ordered*, That the said bill and amendments be laid on the table.

A bill was received from the Assembly for concurrence, entitled "An act extending the time for the collection of taxes in the town of Brooklyn in the county of Kings;" which was read the first time, and by unanimous consent, was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the first senate district.

Two bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act appropriating certain poor funds in the town of De Kalb, in the county of St. Lawrence, to the common schools of said town :"

"An act confirming certain proceedings of the supervisors of the county of Essex :"

Which were read the first time, and by unanimous consent were also read a second time and referred to a select committee, consisting of the members attending the Senate from the fourth senate district.

Two bills were received from the Assembly for concurrence, of the following titles, to wit :"

"An act to incorporate the Rochester Athenæum :"

"An act to change the name of the Buffalo high school association :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act to change the surname of Elnathan Hoar;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

The Senate then took up the consideration of the report of the committee of the whole, on the bill entitled "An act for the relief of John C. McLean;" which, after amending the same, was agreed to by the Senate and the bill ordered to be engrossed for a third reading.

*Ordered*, That Mr. Throop and Mr. Armstrong be added to the committee on the division of counties and towns, for the purpose of considering the bill from the Assembly entitled "An act to divide the town of Marcellus in the county of Onondaga."

The Senate then again resolved itself into a committee of the whole on the bill entitled "An act for the amendment of the law



relative to principals and factors or agents ;” and after some time spent thereon, Mr. President resumed the chair, and Mr. Waterman, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock on Monday morning next.

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**MONDAY, 11 O'CLOCK, A. M.—FEBRUARY 8, 1830.**

The Senate met pursuant to adjournment.

Mr. Mather presented the petition of sundry inhabitants of the town of Onondaga, praying that a certain part of that town may be sett off and annexed to the town of Camillus, which was read, and referred to the committee on the division of counties and towns.

Mr. Waterman presented two several remonstrances of sundry inhabitants of the counties of Broome and Tioga, against the application of John R. Drake, for leave to erect a dam in the Susquehannah river, which were read, and referred to a committee of the whole, when on the bill upon that subject.

Mr. McLean presented the memorial and remonstrance of sundry merchants of the city of Albany, in relation to the act concerning factors, agents and consignees, which was read, and referred to a committee of the whole, when on the bill upon that subject ; and ordered to be printed.

*(See Document No. 105.)*

Mr. Deitz presented two several petitions of sundry inhabitants of the county of Montgomery, praying for the passage of an act to incorporate a company to build a rail-road from Canajoharie to Catskill, which were read, and referred to the select committee heretofore appointed upon that subject.

Mr. McLean, from the committee on literature, reported, without amendment, two bills from the Assembly, of the following titles, to wit :

“ An act to incorporate the Rochester Athenæum :”

“ An act to change the name of the Buffalo high school association :”

Which were committed to a committee of the whole.

Mr. Benton, from the committee on the judiciary, reported without amendment, three bills from the Assembly, of the following titles, to wit :

“ An act relative to the courts of common pleas and general sessions in and for the county of Greene :”

"An act authorising the appointment of a supreme court commissioner to reside in the county of Oswego :"

"An act to alter the time of holding the courts of common pleas and general sessions in the county of Cortland :"

Which were committed to a committee of the whole.

Mr. Sherman, from the select committee on the bill from the Assembly, entitled "An act extending the time for the collection of taxes in the town of Brooklyn, in the county of Kings : " reported the same without amendment, which was committed to a committee of the whole.

Mr. McLean, from the select committee on the following bills from the Assembly, reported the same severally without amendment, to wit :

"An act confirming certain proceedings of the supervisors of the county of Essex :"

"An act apportioning certain poor funds in the town of De Kalb, in the county of St. Lawrence, to the common schools of said town :"

Which were committed to a committee of the whole.

A message from his honor the Lieutenant-Governor, delivered by his private secretary, was read, in the words following, to wit :

#### TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to vest certain powers in the supreme court commissioner, appointed for the village of Poughkeepsie, in the county of Dutchess."

E. T. THROOP.

*Albany, February 5, 1830.*

The bill entitled "An act relative to the superior court and general sessions of the city of New-York," was received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

*Ordered*, That the clerk return the same to the Assembly.

The bill entitled "An act concerning the debt due the state from the president, managers and company of the Delaware and Hudson canal company," was received from the Assembly, with a message that they had passed the same, with the amendments therewith delivered.

*Ordered*, That said bill and amendments be referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the Hudson tow-boat company to resume and continue their limited partnership;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the third senate district.

Mr. Schenck, pursuant to previous notice, asked for and obtained leave to bring in a bill entitled "An act concerning the clerk's office of the county of Queens."

Thereupon,

Mr. Schenck brought in said bill, which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on the judiciary.

The Senate then took up the consideration of the amendments of the Assembly to the bill entitled "An act respecting the court-house and jail in the county of Broome."

Thereupon,

*Resolved*, That the Senate do concur with the Assembly in their amendments to said bill, with an amendment thereto.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

Mr. Sherman asked for, and by unanimous consent obtained leave to bring in a bill entitled "An act relative to the proof of wills of personal property and the probate of them."

Thereupon,

Mr. Sherman brought in said bill, which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Throop,

*Ordered*, That the committee on state prisons be discharged from the further consideration of the communication of Samuel M. Hopkins, one of the commissioners appointed to superintend the building of a new state prison, in the first or second senate districts of this state, made to the Senate on the 27th day of January last, and that the same be referred to a select committee

*Ordered*, That said committee consist of Mr. Bronson, Mr. Todd, and Mr. Benton.

Mr. President put the question on the final passage of the engrossed bill entitled "An act to authorise the town of North-Hempstead, in the county of Queens to sell its common lands, and to appoint commissioners for that purpose," and it was decided in the affirmative.

*Ordered*, That the clerk deliver the said bill to the Assembly, and request their concurrence to the same.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the relief of Frederick Stanley;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported the same with an amendment.

*Ordered*, That the consideration of said report be postponed until to-morrow.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly, entitled "An act for the relief of Justus Burt;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported progress.

*Ordered*, That the committee of the whole be discharged from the further consideration of said bill, and that it be referred to the commissioners of the land-office.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act confirming the pro-

ceedings of justices of the peace and commissioners of deeds in certain cases ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Maynard, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act authorising John R. Drake and James Pampelly to erect a dam in the Susquehannah river ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the Rochester Athenæum ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Mather, from the said committee, reported the same without amendment, which report was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to change the name of the Buffalo high school association," and after some time spent thereon, Mr. President resumed the chair, and Mr. Deitz, from the said committee, reported the same without amendment which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act relative to the courts of common pleas and general sessions in and for the county of Greene ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Conklin, from the said committee, reported the same without amendment ; which report was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act extending the time for the collection of taxes in the town of Brooklyn in the county of Kings ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Armstrong, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Then the Senate adjourned until 11 o'clock to-morrow morning.

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**TUESDAY, 11 O'CLOCK, A M.—FEBRUARY 9, 1830.**

The Senate met pursuant to adjournment.

Mr. McCarty presented two several petitions of sundry members of the Hudson tow-boat company, praying for an extension of their limited partnership until 1st February, 1831, which were read, and referred to the committee on the judiciary.

Mr. Throop presented the petition of sundry inhabitants of the town of Marcellus, praying that the division line between Marcellus and Skaneateles may run between lots numbers 5 and 6; which was read, and referred to the committee upon that subject, consisting of Mr. Beardsley, Mr. Throop and Mr. Armstrong.

Mr. Tallmadge presented the petition of sundry inhabitants of Ulster county, praying for an alteration of the terms of the courts of common pleas and general sessions of said county; which was read, and referred to the committee on the judiciary.

Mr. Todd presented the petition of Joseph Cole and James Carver, praying compensation for attending the Astor trials in New-York, at the request of the Attorney-General, which was read, and referred to the committee on claims.

Mr. Bronson presented the petition of Joseph Denison and others, praying for an act to incorporate the Lake Ontario steam-boat company, which was read, and referred to a select committee, consisting of Mr. Bronson, Mr. Tallmadge and Mr. Conklin.

Mr. Todd presented the petition of James T. Watson and others, praying that the Canal Commissioners be authorised to complete the necessary examinations of the route of the Black river canal, and that the expenses which have been incurred, and such as may be incurred in completing such examination, be paid from the treasury, which was read, and referred to the committee on canals.

Mr. Beardsley presented the petition of sundry inhabitants of Otsego county, praying for a survey of the Susquehannah river, which was read, and referred to a select committee, consisting of Mr. Beardsley, Mr. Sherman and Mr. Schenck.

Mr. Benton, from the committee on the judiciary, on the amendments of the Assembly to the bill entitled "An act concerning the debt due the state from the president, managers and company of the Delaware and Hudson canal company," reported, recommending a concurrence in the same.

*Ordered*, That said bill and amendments be laid on the table.

Mr. Benton, from the committee on the judiciary, on the bill entitled "An act concerning the clerk's office of the county of Queens," reported the same without amendment, which was committed to a committee of the whole.

Mr. Beardsley, from the committee on the division of counties and towns, reported, with an amendment, the bill from the Assembly, entitled "An act to erect the town of Amity, in the county of Allegany," which was committed to a committee of the whole.

The bill entitled "An act respecting the court-house and jail in the county of Broome," was returned from the Assembly, and presented to his honor the Lieutenant-Governor, by the clerk.

A bill was received from the Assembly for concurrence, entitled "An act authorising the survey of the Susquehannah and Chemung rivers, and for other purposes;" which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act regulating highways and bridges, in the counties of Suffolk, Queens and Kings;" which was read the first time, and by unanimous consent, was also read a second time, and referred to a select committee consisting of the members attending the Senate from the first senate district.

On motion of Mr. McCarty,

*Ordered*, That the select committee, consisting of the members attending the Senate from the third senate district, be discharged from the further consideration of the bill from the Assembly, entitled "An act to authorise the Hudson tow-boat company to resume and continue their limited partnership;" and that the same be referred to the committee on the judiciary.

*Ordered*, That the select committee on the petition of sundry inhabitants of Otsego county, praying for a survey of the Susquehanna river, be discharged from the further consideration thereof, and that the same be referred to the committee on canals.

The Senate then took up the consideration of the amendments of the Assembly to the bill entitled "An act concerning the debt due the state from the president, managers and company of the Delaware and Hudson canal company."

Thereupon,

*Resolved*, That the Senate do concur with the Assembly in their amendments to said bill.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

The eleventh annual report of the directors of the New-York institution for the instruction of the deaf and dumb, was received and read, and ordered to be referred to the superintendent of common schools.

(See Document No. 131.)

The Senate then took up the consideration of the report of the committee of the whole on the bill from the Assembly, entitled "An act for the relief of Frederick Stanley," which was agreed to by the Senate, and the amendment ordered to be engrossed, and the bill to a third reading.

Mr. Mather, from the committee on enrolled bills, reported the bill entitled "An act for the relief of John C. McLean," as correctly engrossed.

Thereupon,

The said engrossed bill was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act to incorporate the Rochester Athenæum," was read the third time, and the question on its final passage ordered to be laid on the table.

The bill from the Assembly, entitled "An act relative to the courts of common pleas and general sessions, in and for the county of Greene," was read the third time and passed.

[SENATE JOURNAL.]

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The bill from the Assembly, entitled "An act extending the time for the collection of taxes in the town of Brooklyn, in the county of Kings," was read the third time and passed.

*Ordered*, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The bill from the Assembly, entitled "An act to change the name of the Buffalo high school association," was read the third time, and the question on its final passage ordered to be laid on the table.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act confirming the proceedings of justices of the peace and commissioners of deeds in certain cases;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Maynard, from the said committee, reported the same with amendments, which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act for the amendment of the law relative to principals and factors or agents;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from said committee, reported progress and asked for and obtained leave to sit again.

After the consideration of executive business, the Senate adjourned until 11 o'clock to-morrow morning.

**WEDNESDAY, 11 O'CLOCK, A. M.—FEBRUARY 10, 1830.**

The Senate met pursuant to adjournment.

Mr. Conklin presented the petition of the Long-Island Sound harbor company, praying for an act of incorporation, and also for pecuniary aid in constructing a harbor in the town of Southold in the county of Suffolk, which was read, and referred to the committee on canals.

Mr. Sherman presented the petition of David Godwin, a soldier of the revolution, praying for bounty lands, which was read, and referred to the committee on claims.

Mr. Sherman also presented the petition of John Ridley, praying for an act to legalize the sale of certain real property, made by order of the Surrogate, which was read, and referred to the committee on the judiciary.

Mr. Tracy presented the petition of Charles Townsend and others, praying for the incorporation of the Buffalo fire and marine insurance company, which was read, and referred to the committee on banks and insurance companies.

Mr. Mather presented a communication from Asahel Roundy, supervisor of the town of Spafford, relative to the annexation of the town of Marcellus to the town of Spafford, which was read, and referred to the committee heretofore appointed on that subject.

Mr. Armstrong presented the petition of sundry aliens, praying to be authorised to take, hold and convey real estate, which was read, and referred to the committee on the judiciary.

Mr. Waterman, from the committee on canals, reported against the bill from the Assembly, entitled "An act authorising the survey of the Susquehannah and Chemung rivers, and for other purposes;" which was committed to a committee of the whole.

Mr. Armstrong, from the committee on roads and bridges, reported, without amendment, the bill from the Assembly, entitled "An act to amend an act to establish the Albany and Bethlehem turnpike company;" which was committed to a committee of the whole.

Mr. Waterman, from the committee on canals, on the petition of Peleg Bragg, reported against the prayer of the petitioner; which was agreed to by the Senate.

Thereupon,

*Resolved*, That the petitioner have leave to withdraw his petition.

Mr. Benton, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act to authorise the Hudson tow-boat company to resume and continue their limited partnership;" which was committed to a committee of the whole.

Mr. McLean, from the committee on literature, on the memorial of John B. Yates, relative to the literary institution at Chittenango, made a report in favor of the prayer of the memorialist, and brought in a bill entitled "An act to loan the credit of this state for certain literary purposes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole, and ordered to be printed.

*Ordered*, That double the usual number of copies of said report be printed.

(See Document No. 124.)

A message from his honor the Lieutenant-Governor, delivered by his private secretary, was read; in the words following, to wit:

#### TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act respecting the court-house and jail in the county of Broome."

E. T. THROOP.

*Albany, February 9, 1830.*

The following bills were received from the Assembly, with a message, that they had passed that house, severally, without amendment:

"An act extending the time limited for completing the Nassau turnpike road."



\* An act concerning certain duties of the clerks of the supreme court :”

Which were presented to his honor the Lieutenant-Governor, by the clerk.

A bill was received from the Assembly for concurrence, entitled “An act to compel the attendance of witnesses before a board of supervisors ;” which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Enos,

*Ordered*, That the committee on claims be discharged from the further consideration of the petition of Joseph Cole and James Carver, and that the same be referred to a select committee, consisting of the members attending the Senate from the second senate district.

Mr. Mather, from the committee on enrolled bills, reported the bill entitled “An act authorising John R. Drake and James Pumpelly to erect a dam in the Susquehannah river,” as correctly engrossed.”

Thereupon,

The said engrossed bill was read the third time and passed.

*Ordered*, That the clerk deliver the said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled “An act confirming the proceedings of justices of the peace and commissioners of deeds in certain cases,” with the engrossed amendments, was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled “An act for the amendment of the law relative to principals and factors or agents ;” and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

**THURSDAY, 11 O'CLOCK, A. M.—FEBRUARY 11, 1830.**

The Senate met pursuant to adjournment.

Mr. Conklin, from the select committee on the bill from the Assembly, entitled “An act regulating highways and bridges in the counties of Suffolk, Queens and Kings,” reported the same without amendment, which was committed to a committee of the whole.”

A supplementary report from the commissioners appointed to superintend the building of a new state prison in the first or second senate district of this state, was received and read, and ordered to be laid on the table.

[See Document No. 136.]

A report from the commissioners of the land-office, on the bill from the Assembly, entitled "An act for the relief of Justus Burt," was received and read, and together with the bill, committed to a committee of the whole.

[See Document No. 156.]

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Thomas Wilkie;" which was read the first time, and by unanimous consent, was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the third senate district.

On motion of Mr. Tallmadge,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to authorise the Hudson tow-boat company to resume and continue their limited partnership," and that the same be ordered to a third reading.

Mr. Tracy gave notice, that he would on some future day, ask leave to bring in a bill relative to the court of general sessions in the county of Erie.

The bill from the Assembly, entitled "An act to authorise the Hudson tow-boat company to resume and continue their limited partnership," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Eaton    | Mr. Oliver    |
| Mr. Armstrong | Mr. Enos     | Mr. Porter    |
| Mr. Beardsley | Mr. Gere     | Mr. Sanford   |
| Mr. Benton    | Mr. Mather   | Mr. Sherman   |
| Mr. Boughton  | Mr. Maynard  | Mr. Tallmadge |
| Mr. Bronson   | Mr. McCarty  | Mr. Tracy     |
| Mr. Conklin   | Mr. McLean   | Mr. Waterman  |
| Mr. Deitz     | Mr. McMartin |               |

23

Mr. President put the question on the final passage of the bill from the Assembly entitled "An act to incorporate the Rochester Athenæum," and it was decided in the affirmative; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |                 |
|---------------|--------------|-----------------|
| Mr. Allen     | Mr. Eaton    | Mr. Porter      |
| Mr. Armstrong | Mr. Enos     | Mr. Sanford     |
| Mr. Beardsley | Mr. Mather   | Mr. Sherman     |
| Mr. Benton    | Mr. Maynard  | Mr. Tallmadge   |
| Mr. Boughton  | Mr. McCarty  | Mr. Todd        |
| Mr. Bronson   | Mr. McLean   | Mr. Tracy       |
| Mr. Conklin   | Mr. McMartin | Mr. Warren      |
| Mr. Deitz     | Mr. Oliver   | Mr. Waterman 24 |

Mr. President put the question on the final passage of the bill from the Assembly, entitled "An act to change the name of the Buffalo high school association;" and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Enos     | Mr. Porter    |
| Mr. Armstrong | Mr. Gere     | Mr. Sanford   |
| Mr. Beardsley | Mr. Mather   | Mr. Sherman   |
| Mr. Benton    | Mr. Maynard  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McCarty  | Mr. Todd      |
| Mr. Bronson   | Mr. McLean   | Mr. Tracy     |
| Mr. Conklin   | Mr. McMartin | Mr. Warren    |
| Mr. Deitz     | Mr. Oliver   | Mr. Waterman  |
| Mr. Eaton     |              | 25            |

*Ordered*, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act for the amendment of the law relative to principals and factors or agents;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

**FRIDAY, 11 O'CLOCK, A. M.—FEBRUARY 12, 1830.**

The Senate met pursuant to adjournment.

Mr. Enos presented the petition of S. Sidney Breese and others, praying for an act incorporating a company to construct a canal from Oneida lake to the Erie canal, which was read, and referred to the committee on canals.

Mr. Beardsley presented the memorial of sundry inhabitants of Otsego county, praying for the passage of a law authorising a survey of the Susquehannah and Chemung rivers, which was read, and referred to the committee of the whole, when on the bill upon that subject.

Mr. McCarty presented the petition of Thomas Wilkie, collector of the second ward of the city of Schenectady, praying for an extension of the time to collect taxes, which was read, and ordered to be laid on the table.

Mr. Enos, from the committee on claims, to which was referred the petition of David Godwin, praying for an act authorising the allotment to him of such portion of land as by law was allotted to the soldiers of the revolutionary army of the New-York line, reported as follows, to wit :

That the certified copies of affidavits, and other documents accompanying said petition, satisfactorily prove, that in the year 1776, said Godwin enlisted into the fifth New-York regiment of the revolutionary army, commanded by Colonel Lewis Du Bois ; that he served as a musician or private until the close of the war, except some little time that he was sick and absent ; that in consequence of such absence, he was not present when the army was disbanded ; and that he was a brave and faithful soldier.

The committee further report, that the resolution of the legislature of this state of March, 1783, promising a grant of lands to certain troops, gives no encouragement, and makes no provision for granting lands to said fifth regiment, commanded by Col. Du Bois ; that they are fully of the opinion that granting the prayer of the petitioner would establish a precedent, and not only open a door for, but would invite a multitude of claims from those to whom the legislature never intended to grant lands ; therefore the committee recommend the adoption of the following resolution :

*Resolved*, That the petitioner, have leave to withdraw his petition.

*Ordered*, That said report be laid on the table.

Mr. Waterman, from the committee on canals, on the memorial of James T. Watson and others, reported a bill entitled "An act directing the survey of a canal route from Rome to the High Falls of the Black river ;" which was read the first time, and by unanimous consent, was also read a second time, and committed to the committee of the whole, and ordered to be printed.

Mr. Benton from the committee on the judiciary, on the petition of sundry inhabitants of Ulster county, reported a bill entitled "An

act to alter the terms of the courts of common pleas and general sessions in Ulster county ;" which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Benton, from the same committee, reported without amendment, the bill from the Assembly, entitled "An act to change the name of Elnathan Hoar;" which was committed to a committee of the whole.

Mr. McCarty, from the select committee on the bill from the Assembly, entitled "An act for the relief of Thomas Wilkie;" reported the same without amendment, which was ordered to a third reading.

A message was received from his honor the Lieutenant-Governor, delivered by his private secretary, was read in the words following, to wit :

### TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act concerning certain duties of the clerks of the supreme court."

Also the bill entitled "An act extending the time limited for completing the Nassau turnpike road."

E. T. THROOP.

*Albany, February 10, 1830.*

The bill entitled "An act confirming the proceedings of justices of the peace and commissioners of deeds in certain cases," was received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined :

*Ordered*, That the clerk return the same to the Assembly.

The bill entitled "An act concerning the debt due the state from the president, managers and company of the Delaware and Hudson canal company," was returned from the Assembly, and presented to his honor the Lieutenant-Governor by the clerk.

On motion of Mr. Enos,

*Resolved*, That the committee on finance be directed to inquire and report to the Senate, on the expediency of authorising a state tax.

Mr. Benton asked for and obtained leave of absence for six days.

The bill from the Assembly, entitled "An act for the relief of Thomas Wilkie," was read the third time and passed.

*Ordered*, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, without amendment.

Mr. President put the question on the final passage of the engrossed bill entitled "An act concerning the Watervliet turnpike company;" and it was decided in the affirmative; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Enos     | Mr. Sanford   |
| Mr. Armstrong | Mr. Gere     | Mr. Schenck   |
| Mr. Beardsley | Mr. Mather   | Mr. Sherman   |
| Mr. Benton    | Mr. Maynard  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McCarty  | Mr. Throop    |
| Mr. Bronson   | Mr. McLean   | Mr. Todd      |
| Mr. Conklin   | Mr. McMartin | Mr. Waterman  |
| Mr. Deitz     | Mr. Oliver   | Mr. Woodward  |
| Mr. Eaton     | Mr. Porter   |               |

26

## FOR THE NEGATIVE.

|           |   |
|-----------|---|
| Mr. Tracy | 1 |
|-----------|---|

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The Senate then, pursuant to a concurrent resolution of the Senate and Assembly, appointing this day for the choice of a Treasurer of this state, proceeded to make such choice, when each member openly nominated, as follows :

## FOR ABRAHAM KEYSER.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Sherman   |
| Mr. Armstrong | Mr. McCarty  | Mr. Tallmadge |
| Mr. Beardsley | Mr. McLean   | Mr. Throop    |
| Mr. Benton    | Mr. McMartin | Mr. Todd      |
| Mr. Bronson   | Mr. Oliver   | Mr. Warren    |
| Mr. Conklin   | Mr. Porter   | Mr. Waterman  |
| Mr. Deitz     | Mr. Sanford  | Mr. Woodward  |
| Mr. Enos      |              |               |

22

## FOR GEORGE MERCHANT.

|              |             |           |
|--------------|-------------|-----------|
| Mr. Boughton | Mr. Maynard | Mr. Tracy |
| Mr. Mather   |             |           |

4

Thereupon,

*Resolved*, That Abraham Keyser, of the city of Albany, be, and he is hereby nominated on the part of the Senate, Treasurer of this state.

*Resolved*, (if the Assembly concur,) That the Senate will immediately meet the Assembly in the Assembly chamber, to compare their respective nominations of a Treasurer of this state.

A copy of a resolution from the Assembly was read, informing that they had concurred in the resolution of the Senate for comparing the respective nominations of the two houses, for a Treasurer of this state.

Mr. President accordingly left the chair, and with the Senate, proceeded to the Assembly chamber, to meet the Assembly ; and on comparing their respective nominations for a Treasurer of this State, they were found to agree in the name of Abraham Keyser, of the city of Albany. And the President thereupon announced and declared the said Abraham Keyser to be duly appointed Treasurer of this State. And

Thereupon,

The Senate having returned to the Senate chamber, the President announced the said proceedings to have taken place.

The bill from the Assembly, entitled "An act for the relief of Frederick Stanley," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

**FOR THE AFFIRMATIVE.**

|               |              |               |    |
|---------------|--------------|---------------|----|
| Mr. Allen     | Mr. Gere     | Mr. Schenck   |    |
| Mr. Beardsley | Mr. Mather   | Mr. Sherman   |    |
| Mr. Benton    | Mr. Maynard  | Mr. Tallmadge |    |
| Mr. Boughton  | Mr. McCarty  | Mr. Throop    |    |
| Mr. Bronson   | Mr. McLean   | Mr. Tracy     |    |
| Mr. Conklin   | Mr. McMartin | Mr. Warren    |    |
| Mr. Deitz     | Mr. Oliver   | Mr. Waterman  |    |
| Mr. Enos      | Mr. Porter   | Mr. Woodward  | 24 |

**FOR THE NEGATIVE.**

|               |             |          |   |
|---------------|-------------|----------|---|
| Mr. Armstrong | Mr. Sanford | Mr. Todd | 3 |
|---------------|-------------|----------|---|

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, with the amendment therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act for the amendment of the law relative to principals and factors or agents;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported progress, and asked for and obtained leave to sit again.

After the consideration of executive business, the Senate adjourned until 11 o'clock to-morrow morning.

**SATURDAY, 11 O'CLOCK, A.M.—FEBRUARY 13, 1830.**

The Senate met pursuant to adjournment.

Mr. Sherman presented the memorial of the mayor, aldermen and commonalty of the city of New-York, praying for the passage of a law in relation to proceedings in criminal cases, and concerning certain courts in said city, which was read and referred to the committee on the judiciary.

Mr. Sherman also presented the petition of Elisha Tibbits and his associates, praying for an act incorporating the Commercial bank of the city of New-York, which was read, and referred to the committee on banks and insurance companies.

Mr. Sherman presented the remonstrance of sundry freeholders and builders in the city of New-York, against the passage of the bill now before the Senate, commonly called the "lien law;" which was read, and referred to the select committee to which the bill from the Assembly, upon that subject, was referred.

Mr. Beardsley, from the committee on the division of counties and towns, to whom was referred the petitions of sundry inhabitants of the towns of Camillus and Onondaga, in the county of Onondaga, praying that part of the town of Onondaga be annexed to Camillus, reported as follows, to wit:

That the petitioners pray that twenty-two lots of land in Onondaga, bounded north and west by Camillus, and east by Salina, be annexed to the town of Camillus.

It appears that notice of the application was given at the last town meetings in said towns. The petitioners are numerous, and no remonstrance has yet been presented, nor are the committee aware that any opposition exists. By referring to the petitions and the map accompanying the same, the application appears reasonable, and the committee have accordingly prepared a bill, which they herewith introduce.

Thereupon,

Mr. Beardsley brought in said bill, entitled "An act to annex a part of the town of Onondaga, in the county of Onondaga, to the town of Camillus, in said county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Bronson, from the select committee to whom was referred several petitions from the inhabitants of the towns of Clay and Volney, praying that J. E. Hinman and H. W. Schröppel be permitted to construct a dam across the Oneida river, at Oak Orchard reef; the petition of said Hinman and Schröppel for the same object; and also the petition of Gustavus Jewell and others, for compensation for the destruction of a dam, at the Caughanoy reef by the canal commissioners, made a report on that subject, and brought in a bill entitled "An act authorising John E. Hinman and Henry W. Schröppel to erect and maintain a dam across the Oneida river;"



which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole, and ordered to be printed.

[See Document No. 137.]

A message from his honor the Lieutenant-Governor, delivered by his private secretary, was read, in the words following, to wit:

### TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act concerning the debt due the state from the president, managers and company of the Delaware and Hudson canal company."

E. T. THROOP.

*Albany, February 12, 1830.*

A bill was received from the Assembly for concurrence, entitled "An act regulating the pay of the guard of the state prison at Mount-Pleasant;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the New-York law institute;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Maynard,

*Resolved*, that the committee on finance report to the Senate, whether it be not practicable to provide for the support of the government, without the imposition of a tax on real estate; and if practicable, to report a plan for that purpose.

Mr. Bronson presented a communication from Andrew Munro, on the subject of authorising the construction of a dam across the Oneida river, which was read, and referred to a committee of the whole, when on the bill to which the subject relates.

Mr. Bronson asked for and obtained leave of absence for ten days.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the relief of Justus Burt;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Conklin, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising the appointment of a supreme court commissioner, to reside in the county of Oswego;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Warren, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to alter the time for holding the courts of common pleas and general sessions in the coun-

ty of Cortland;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act confirming certain proceedings of the supervisors of the county of Essex;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Deitz, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act appropriating certain poor funds in the town of De Kalb, in the county of St. Lawrence, to the common schools of said town;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Waterman, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act concerning the clerk's office of the county of Queens;" and after some time spent thereon, Mr. President resumed the chair, and Mr. McCarty, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act regulating the pay of the guard of the state prison at Mount-Pleasant;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Enos, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to erect the town of Amity, in the county of Allegany;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Woodward, from the said committee, reported the same with amendments, which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to alter the terms of the courts of common pleas and general sessions in Ulster county;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Mather, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly entitled "An act to change the name of Elnathan Hoar;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Sherman, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to annex a part of the town of Onondaga, in the county of Onondaga, to the town of Camillus, in said county;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Maynard, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

After the consideration of executive business, the Senate adjourned until 11 o'clock on Monday morning next.

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**MONDAY, 11 O'CLOCK, A. M.—FEBRUARY 15, 1830.**

The Senate met pursuant to adjournment.

The President announced to the Senate the decease of the Hon. Moses Hayden, a member of the Senate, from the eighth senate district.

Thereupon,

On motion of Mr. Boughton :

*Resolved unanimously*, by the Senate and Assembly, That in testimony of sincere grief at the death, and of respect for the character and memory of the honorable Moses Hayden, a senator from the eighth senate district, the members of the Senate and Assembly will wear the usual badge of mourning for thirty days.

*Resolved unanimously*, That the funeral obsequies of the late honorable Moses Hayden, be conducted under the direction of a joint committee of the two houses, consisting of three members of the Senate, and five members of the Assembly.

*Resolved unanimously*, That the members of the two houses will attend the funeral solemnities of the deceased senator.

*Ordered*, That Mr. Boughton, Mr. Allen and Mr. Tracy, be of the said committee on the part of the Senate.

*Ordered*, That the clerk deliver a copy of said resolutions to the Assembly.

A resolution from the Assembly was received, informing that they had agreed to the foregoing resolutions, and had appointed Mr. Granger, Mr. Savage, Mr. P. C. Fuller, Mr. Goodman and Mr. Fillmore, to be of the joint committee on the part of that house, to conduct the funeral obsequies of the late honorable Moses Hayden.

Mr. Boughton, from the committee appointed by joint resolution of the Senate and Assembly to conduct the funeral obsequies of the late honorable Moses Hayden, reported as follows :

That they have made the necessary arrangements for the funeral, which will be attended at 3 o'clock this day, from the Eagle tavern, in South Market-street, the late residence of the deceased, in the following order :

Order of arrangement for the funeral of the honorable Moses Hayden, late senator from the eighth senate district, on Monday the 15th day of February, 1830.

The Senate and Assembly will meet in their respective chambers, at half past two o'clock, P. M., and will proceed to the Eagle tavern, the late residence of the deceased.

The reverend clergy of the city are requested to join in the funeral solemnities, and for that purpose are requested to attend at the place last mentioned, at three o'clock.

The chancellor, justices of the supreme court, circuit judges who may be in the city, and the state officers, are also requested to attend at the same time and place.

The procession will move at half past three precisely, and in the following order :

1. The clergy of the city, and attending physicians.
2. The hearse and pall bearers.
3. Relatives of the deceased.
4. Joint committee of arrangements.
5. The Acting Governor of the state.
6. The Senate, preceded by its officers.
7. The Assembly, preceded by its officers.
8. The chancellor, justices of the supreme court and circuit judges.
9. The state officers.
10. Citizens and strangers.

#### JOINT COMMITTEE OF ARRANGEMENT.

##### *Of the Senate.*

G. H. Boughton,  
S. Allen,  
A. H. Tracy.

##### *Of the Assembly.*

|               |             |
|---------------|-------------|
| F. Granger,   | E. Savage,  |
| P. C. Fuller, | T. Goodman, |
| M. Fillmore.  |             |

On motion of Mr. Boughton :

*Resolved*, as a further testimony of respect for the memory of the deceased, That the senate do now adjourn.

Then the Senate adjourned until 11 o'clock to-morrow morning.

**TUESDAY, 11 O'CLOCK, A. M.—FEBRUARY 16, 1880.**

The Senate met pursuant to adjournment.

Mr. Tallmadge presented the memorial of the Hudson and Delaware canal company, praying for the passage of an act relative to the transfer of certain stocks therein mentioned, which was read, and referred to the comptroller.

Mr. Tallmadge also presented the petition of the stockholders of the New Hamburg turnpike company in the county of Dutchess, praying for leave to abandon their road, which was read, and referred to the committee on roads and bridges.

Mr. Sherman presented the petition of sundry inhabitants of Westfield, in the county of Richmond, praying for a repeal of the 11th section of the act of the legislature of 1813, entitled "An act relative to the fisheries in certain waters;" which was read, and referred to a select committee, consisting of the members attending the Senate from the first senate district.

Mr. McMartin presented sundry documents relative to the claim of John Gifford, which were read, and referred to the committee on claims.

Mr. Beardsley presented the certificate and memorial of Philip Church, relative to the division of the towns of Angelica and Scio, which was read and ordered to be laid on the table.

Mr. Todd presented the petition of S. Gouverneur and others, praying for an act of incorporation for a bank to be located in the village of Cold Spring, in Putnam county, which was read, and referred to the committee on banks and insurance companies.

Mr. Throop, from the committee on the judiciary, to which was referred a bill entitled "An act relative to the proof of wills of property, and the probate of the same," made a report on that subject, and brought in a bill entitled "An act for the relief of the executors of Hannah Fisher, deceased;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Throop, from the same committee, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the New-York law institute;" which was committed to a committee of the whole.

Mr. Throop, from the same committee, to whom was referred the memorial of the mayor, aldermen and commonalty of the city of New-York, in relation to certain proceedings in criminal cases, and concerning the courts in said city, reported as follows, to wit:

That the committee have had the same under consideration, and have examined the bill, the passage of which is asked for in said memorial. It appears from the examination and explanations given to the committee, that the defect of provision for drawing a grand jury for the general sessions in said city, has arisen from the different arrangement of the terms of the courts in the city and in the country, the provision being properly adapted to the country only;

the consequence is, that the business of the general sessions in the city cannot proceed without legislative aid. The other provisions asked for are also solely applicable to the city, and from the representations made to the committee, appear to be necessary and expedient.

The committee, therefore, introduce a bill in conformity with the prayer of the memorial.

Thereupon,

Mr. Throop brought in the said bill, entitled "An act in relation to certain proceedings in criminal cases in the city of New-York, and concerning certain courts therein;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole, and ordered to be printed.

Mr. Todd, from the committee on finance, to which was referred the petition of the settlers on the Cowassellone tract of land in the town of Lenox in the county of Madison, and the settlers on the southwest part of the New Stockbridge tract, made a favorable report on the same, and brought in a bill entitled "An act for the relief of the occupants of the New Stockbridge and Cowassellone tracts of land;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

[See Document No. 163.]

Mr. Todd, from the same committee, to which was referred the petition of Allen Hills and Thomas Spencer, together with the report of the Comptroller upon the same, made a report on that subject, and offered the following resolution:

*Resolved*, That the Comptroller be required to endorse upon the bonds of Eliphalet Hotchkiss, which were given to the people of this state in April 1821, for Oneida Castleton lots purchased by him in that year, the amount of money which had been paid into the treasury by the said Hotchkiss, for lots purchased in the same village by him in 1817, the purchases of 1817 having been abandoned, and that the same be applied as of the date of the bonds, and in proportion to their respective amounts.

*Ordered*, That said resolution be committed to a committee of the whole.

(See Document No. 163.)

Mr. Beardsley, from the committee on the division of counties and towns, reported with amendments, the bill from the Assembly, entitled "An act to divide the town of Marcellus, in the county of Onondaga;" which was committed to a committee of the whole.

Mr. Allen, from the committee on banks and insurance companies, to which was referred the petition of Charles Townsend and others, praying that they and their associates may be incorporated under the name of the Buffalo fire and marine insurance company, made a report in favor of the prayer of the petitioners, and brought in a bill

[SENATE JOURNAL.]

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entitled "An act to incorporate the Buffalo fire and marine insurance company;" which was read the first time, and by unanimous consent, was also read a second time, and committed to a committee of the whole, and ordered to be printed.

(See Document No. 161.)

Mr. Todd, from the select committee on the petition of Joseph Cole and James Carver, reported, that the committee had prepared a bill entitled "An act for the relief of Joseph Cole and James Carver;" which, by leave was brought in, read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

A communication from Abraham Keyser was received and read, in the words following, to wit:

*Albany, February 15, 1830.*

SIR,

The resolutions of the two houses of the legislature, appointing me Treasurer of this state, have been received. In accepting the station to which the partiality of the legislature has again appointed me, allow me to express through you, to the members of the house over which you have the honor of presiding, my grateful acknowledgments of the high honor conferred by this renewed proof of their confidence.

With respect, your humble servant,

A. KEYSER.

HON. WILLIAM M. OLIVER,  
President of the Senate.

The bill entitled "An act for the relief of Frederick Stanley," was received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined:

*Ordered*, That the clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act altering the terms of the court of common pleas and general sessions of the county of Schenectady;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to divide the town of Little-Valley, in the county of Cattaraugus;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of counties and towns.

A bill was received from the Assembly for concurrence, entitled "An act to continue in force 'An act to incorporate an association for the relief of respectable, aged, indigent females in the city of New-York, passed March 10th, 1815;'" which was read the first

time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Two bills were received from the Assembly for concurrence, of the following titles, to wit :

" An act relative to the liberties of the jail in the city and county of New-York : "

" An act to extend the time for the collection of taxes in the town of Bushwick, in the county of Kings : "

Which were read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the members attending the Senate from the first senate district.

A bill was received from the Assembly for concurrence, entitled " An act relative to the gospel and school lots in the county of St. Lawrence ; " which was read the first time, and by unanimous consent, was also read a second time, and referred to a select committee consisting of the members attending the Senate from the fourth senate district.

Mr. Throop moved a resolution in the words following, to wit :

*Resolved*, (if the Assembly concur herein,) That the revisers of the laws be directed to prepare and report to this legislature, with all convenient despatch, an act containing such provisions as shall have been made by this legislature, or may have been discovered by them and considered necessary, to carry into effect the intention of the legislature in passing the various parts of the revised statutes, so that the said act so to be reported, may be acted upon in season to have the same published in the third part of the revised statutes.

*Ordered*, That said resolution be laid on the table.

On motion of Mr. Mather :

*Resolved*, That the judiciary committee be directed to inquire as to the expediency of passing a law relative to receipts taken by sheriffs, constables and other officers, for property levied upon by execution, and providing particularly that such officers shall be required to specify in every such receipt, the execution or process on which such receipt was taken, and the amount due thereon, including the fees of the officer making the levy ; and to report by bill in case they shall deem it expedient.

Mr. Todd gave notice that he would on some future occasion, ask leave to introduce a bill concerning the appraisement of damages on the canals, and the compensation allowed to the canal appraisers.

Thereupon,

Mr. Todd, by unanimous consent, brought in said bill, entitled " An act concerning the appraisement of damages on canals, and the compensation allowed to the canal appraisers ; " which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on canals.

Mr. Boughton gave notice that he would on some future day, ask leave to introduce a bill in relation to " An act to incorporate the village of Lockport, " passed March 26, 1829.

Mr. Mather, from the committee on enrolled bills, reported three bills as correctly engrossed, of the following titles, to wit :



**"An act concerning the clerk's office in the county of Queens:"**

**"An act to alter the terms of the courts of common pleas and general sessions in Ulster county:"**

**"An act to annex a part of the town of Onondaga in the county of Onondaga, to the town of Camillus, in said county:"**

Thereupon,

The said engrossed bill, entitled **"An act concerning the clerk's office in the county of Queens,"** was read the third time and passed.

The said engrossed bill, entitled **"An act to alter the terms of the courts of common pleas and general sessions in Ulster county,"** was read the third time and passed.

The said engrossed bill, entitled **"An act to annex a part of the town of Onondaga in the county of Onondaga, to the town of Camillus, in said county,"** was read the third time and passed.

*Ordered,* That the clerk deliver said several bills to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled **"An act regulating the pay of the guard of the state prison at Mount-Pleasant,"** was read the third time and passed.

The bill from the Assembly, entitled **"An act for the relief of Justus Burt,"** was read the third time and passed.

The bill from the Assembly, entitled **"An act confirming certain proceedings of the supervisors of the county of Essex,"** was read the third time and passed.

The bill from the Assembly, entitled **"An act to alter the time for holding the courts of common pleas and general sessions in the county of Cortland,"** was read the third time and passed.

*Ordered,* That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The bill from the Assembly, entitled **"An act to erect the town of Amity, in the county of Allegany,"** with the engrossed amendments, was read the third time, and the question on its final passage ordered to be laid on the table.

The Senate then resolved itself into a committee of the whole, on the bill entitled **"An act for the relief of the executors of Hannah Fisher, deceased;"** and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled **"An act authorising the appointment of a supreme court commissioner, to reside in the county of Oswego;"** and after some time spent thereon, Mr. President resumed the chair, and Mr. Warren, from the said committee, reported the same with amendments, and an alteration of the title, so as to read **"An act authorising the appointment of a supreme court commissioner to reside in the county of Oswego, and to vest certain powers of a judge of the common pleas in the recorder of the city of Hudson;"** which report was agreed to by the Senate,

and the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act appropriating certain poor funds in the town of De Kalb, in the county of St. Lawrence, to the common schools of said town;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Waterman, from the said committee reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act regulating highways and bridges in the counties of Suffolk, Queens and Kings;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Woodward, from said committee, reported progress.

*Ordered*, That the committee of the whole be discharged from the further consideration of said bill, and and that it be referred to the committee on roads and bridges.

Mr. Mather, from the committee on enrolled bills, reported the bill entitled "An act for the relief of the executors of Hannah Fisher, deceased," as correctly engrossed.

Thereupon,

The said engrossed bill was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend an act to establish the Albany and Bethlehem turnpike company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Enos, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the New-York law institute:" and after some time spent thereon, Mr. President resumed the chair, and Mr. Boughton, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to divide the town of Marcellus, in the county of Onondaga;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Allen, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

**WEDNESDAY, 11 O'CLOCK, A. M.—FEBRUARY 17, 1830.**

The Senate met pursuant to adjournment.

Mr. Warren presented the petition of sundry inhabitants of the town of Schaghticoke, praying for an alteration of the charter of the Schaghticoke point bridge company; and also a remonstrance of sundry inhabitants of said town against the same, which were read, and referred to the committee on roads and bridges.

Mr. Beardsley presented the petition of sundry inhabitants of the town of Marcellus, relative to the division of that town, which was read, and referred to a committee of the whole when on the bill from the Assembly, to which the subject relates.

Mr. Todd presented the affidavit of Andrew Munro, and the statement of S. Roberts, relative to the erection of a dam across the Oneida river, which was read, and referred to a committee of the whole, when on the bill upon that subject.

Mr. Conklin presented three several petitions of sundry inhabitants of the county of Suffolk, and of the city of New-York, praying for a repeal of so much of the Revised Statutes as prohibits the hunting of deer with hounds and beagles, so far as relates to the county of Suffolk; and also the remonstrance of sundry inhabitants of the county of Suffolk, against such repeal; which were severally read, and referred to a select committee consisting of the members attending the Senate from the first senate district.

Mr. McMartin, from the committee on roads and bridges, on the petition of the New-Hamburgh turnpike company and others, reported as follows, to wit:

The petitioners pray that the act entitled "An act to incorporate the New-Hamburgh turnpike," passed March 24th, 1815, may be repealed, and that the said road may be districted and repaired like other roads in the town of Fishkill, in which it is situated.

They represent this road, (about five miles in length,) as passing through a rich, fertile and populous district of the said town, and highly important to its growing agricultural, commercial and mercantile interests.

They state that the company have for eight or nine years past, neglected the election of directors, and the repairing of their road, which has become nearly impassable, but of which the town authorities did not consider themselves warranted to assume the jurisdiction, without a legislative sanction.

The committee are assured that nearly all the stockholders, and all the inhabitants on this road are the petitioners; the legal notices are given and none remonstrate. They have therefore prepared a bill in accordance with the prayer aforesaid, which they offer for the consideration of the Senate.

Thereupon,

Mr. McMartin brought in said bill, entitled "An act declaring the New-Hamburgh turnpike a public highway;" which was read

the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. McMartin, from the same committee, reported, with amendments, the bill from the Assembly, entitled "An act regulating highways and bridges in the counties of Suffolk, Queens and Kings;" which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

Mr. McLean, from the committee on literature, on the petition of Rutgers medical faculty, reported a bill entitled "An act to incorporate Manhattan College;" which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Conklin, from the select committee on the bill from the Assembly, entitled "An act to extend the time for the collection of taxes in the town of Bushwick, in the county of Kings," reported the same without amendment, which was committed to the committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act providing for the erection of a bridge over the Walkill, in the town of Shawangunk;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of the president, directors and company of the Brooklyn, Jamaica and Flatbush turnpike company;" which was read the first time, and by unanimous consent, was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the first senate district.

The bill from the Assembly, entitled "An act to incorporate the New-York law institute," was read the third time, and the question on its final passage ordered to be laid on the table.

The bill from the Assembly, entitled "An act to change the surname of Elnathan Hoar," was read the third time and passed.

The bill from the Assembly, entitled "An act appropriating certain poor funds in the town of De Kalb, in the county of St. Lawrence, to the common schools of said town," was read the third time, and passed.

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The bill from the Assembly, entitled "An act authorising the appointment of a supreme court commissioner to reside in the county of Oswego, and to vest certain powers of a judge of the common pleas in the recorder of the city of Hudson," with the engrossed amendments, was read the third time, and passed.

Mr. President put the question on the final passage of the bill from the Assembly, entitled "An act to erect the town of Amity, in the county of Allegany," with the engrossed amendments, and it was decided in the affirmative.

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same severally, with the amendments therewith delivered.

On motion of Mr. McMartin :

*Ordered*, That the bill entitled "An act for the relief of the occupants of the New-Stockbridge and Cowassalone tracts of land," be printed.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to divide the town of Marcellus in the county of Onondaga;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Allen, from the said committee, reported the same with amendments.

The first section of said report being again read in the words following, to wit :

"All that part of the town of Marcellus, lying south and east of a line beginning in the north line of lot number seventy-one, at the northwest corner of the town of Otisco, and running down the centre of the outlet of Otisco lake to the north line of lot number sixty-two ; thence west on the north line of lots numbers sixty-two, sixty-one and sixty ; and thence in a straight line west across number fifty-nine, to the centre of Skaneateles lake ; thence southerly along the centre of said lake to the south line of the town of Marcellus, shall be annexed to and form a part of the town of Spafford :"

Mr. Maynard made a motion to amend said report, by striking out of said section all after the word "running," in the third line, to the word "to," in the seventh line thereof, and inserting in lieu thereof the words following, to wit : "west on the north line of lots numbers seventy-one, seventy, sixty-nine, and continuing west across lot number sixty-eight."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit :

#### FOR THE NEGATIVE.

|               |               |              |
|---------------|---------------|--------------|
| Mr. Allen     | Mr. Hubbard   | Mr. Throop   |
| Mr. Armstrong | Mr. McCarty   | Mr. Todd     |
| Mr. Beardsley | Mr. Oliver    | Mr. Warren   |
| Mr. Conklin   | Mr. Schenck   | Mr. Waterman |
| Mr. Deitz     | Mr. Sherman   | Mr. Woodward |
| Mr. Gere      | Mr. Tallmadge |              |

22

#### FOR THE AFFIRMATIVE.

|              |             |              |
|--------------|-------------|--------------|
| Mr. Boughton | Mr. Mather  | Mr. McMartin |
| Mr. Enos     | Mr. Maynard | Mr. Sanford  |

6

The second section of said report being again read in the words following, to wit :

"All that part of Marcellus lying east of the line, beginning in the north line of said town at the northwest corner of lot number five, and running south on the line of lots to the southeast corner of lot

number fifty-two; thence east on the line of lots to the centre of the outlet of Otisco lake; thence up said outlet along the centre thereof to the northwest corner of the town of Otisco; thence east to the east line of Marcellus, shall be a separate town by the name of Marcellus; and the first town-meeting in the said town of Marcellus shall be held at the house of Bildad Beach, on the last Tuesday in April next:—

Mr. Maynard made a motion to amend said report, by striking out of said section all after the word “number,” in the second line, to the word “thence,” in the sixth line thereof, and inserting in lieu thereof, the words following, to wit: “four, and running south on the east lines of lots numbers four, twelve and twenty-one, to the centre of the Gulf brook, (so called;) thence down the centre of said brook to the east line of lot thirty; thence south on the line of lots to the north line of lot number sixty-nine.”

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded were as follows, to wit:

**FOR THE NEGATIVE.**

|               |             |               |    |
|---------------|-------------|---------------|----|
| Mr. Allen     | Mr. Gere    | Mr. Tallmadge |    |
| Mr. Armstrong | Mr. Hubbard | Mr. Throop    |    |
| Mr. Beardsley | Mr. McCarty | Mr. Todd      |    |
| Mr. Conklin   | Mr. Oliver  | Mr. Woodward  |    |
| Mr. Deitz     | Mr. Sherman |               | 14 |

**FOR THE AFFIRMATIVE.**

|              |              |              |   |
|--------------|--------------|--------------|---|
| Mr. Boughton | Mr. Maynard  | Mr. Schenck  |   |
| Mr. Enos     | Mr. McMartin | Mr. Warren   |   |
| Mr. Mather   | Mr. Sanford  | Mr. Waterman | 9 |

Thereupon,

The Senate agreed to the report of the committee of the whole, and the amendments were ordered to be engrossed, and the bill to a third reading.

The bill entitled “An act for the relief of the executors of Hannah Fisher, deceased,” was received from the Assembly, with a message that they had passed the same without amendment; and was presented to his honor the Lieutenant-Governor by the clerk.

Then the Senate adjourned until 11 o'clock to-morrow morning.

**THURSDAY, 11 O'CLOCK, A. M.—FEBRUARY 18, 1830.**

The Senate met pursuant to adjournment.

Mr. McCarty presented the memorial of Matthew Gregory and others, praying for an act of incorporation to enable him and his associates to supply the citizens of Albany with water, which was read, and referred to the committee on manufactures.

Mr. McMartin, from the committee on roads and bridges, on the petition of sundry inhabitants of Rensselaer and Washington counties, reported a bill entitled "An act to incorporate the Phoenix bridge company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. McMartin, from the same committee, reported, with amendments, the bill from the Assembly, entitled "An act providing for the erection of a bridge over the Walkill, in the town of Shawangunk," which was committed to a committee of the whole.

Mr. Beardsley, from the committee on the division of counties and towns, reported without amendment, the bill from the Assembly, entitled "An act to divide the town of Little Valley, in the county of Cattaraugus;" which was committed to a committee of the whole.

Mr. Sherman, from the select committee, to whom was referred several petitions from sundry inhabitants of the counties of Schoharie, Montgomery and Greene, praying for an act of incorporation, to be called "the Canajoharie and Catskill rail-road company," made a report in favor of the prayer of the petitioners, and by leave, brought in a bill entitled "An act to incorporate the Canajoharie and Catskill rail-road company;" which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole, and ordered to be printed.

[See Document No. 180.]

A bill was received from the Assembly for concurrence, entitled "An act requiring the register of the city and county of New-York to appoint a deputy;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Maynard asked for and obtained leave of absence for Mr. Tallmadge, for one week from to-morrow.

The bill from the Assembly, entitled "An act to divide the town of Marcellus, in the county of Onondaga," with the engrossed amendments, was read the third time, and the question on its final passage ordered to be laid on the table.

The bill from the Assembly, entitled "An act to amend an act to establish the Albany and Bethlehem turnpike company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |              |
|---------------|--------------|--------------|
| Mr. Allen     | Mr. Mather   | Mr. Schenck  |
| Mr. Armstrong | Mr. Maynard  | Mr. Sherman  |
| Mr. Beardsley | Mr. McCarty  | Mr. Throop   |
| Mr. Boughton  | Mr. McMartin | Mr. Tracy    |
| Mr. Conklin   | Mr. Oliver   | Mr. Warren   |
| Mr. Deitz     | Mr. Porter   | Mr. Waterman |
| Mr. Enos      | Mr. Rexford  | Mr. Wheeler  |
| Mr. Gere      | Mr. Sanford  | Mr. Woodward |
| Mr. Hubbard   |              |              |

25

Mr. President put the question on the final passage of the bill from the Assembly, entitled "An act to incorporate the New-York law institute," and it was decided in the affirmative; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |              |
|---------------|--------------|--------------|
| Mr. Allen     | Mr. Mather   | Mr. Schenck  |
| Mr. Armstrong | Mr. Maynard  | Mr. Sherman  |
| Mr. Beardsley | Mr. McCarty  | Mr. Throop   |
| Mr. Boughton  | Mr. McMartin | Mr. Tracy    |
| Mr. Conklin   | Mr. Oliver   | Mr. Warren   |
| Mr. Deitz     | Mr. Porter   | Mr. Waterman |
| Mr. Enos      | Mr. Rexford  | Mr. Wheeler  |
| Mr. Gere      | Mr. Sanford  | Mr. Woodward |

24

*Ordered,* That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same severally, without amendment.

The bill from the Assembly, entitled "An act regulating highways and bridges in the counties of suffolk, Queens and Kings," with the engrossed amendments, was read the third time and passed.

*Ordered,* That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act providing for the erection of a bridge over the Walkill, in the town of Shawangunk;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Wheeler, from the said committee, reported the same with amendments, which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act in relation to certain proceedings in criminal cases in the city of New-York, and concerning certain courts therein;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Waterman, from the said committee, reported the



same with amendments, which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the resolution requiring the Comptroller to make certain endorsements on the bonds of Eliphalet Hotchkiss, and after some time spent thereon, Mr. President resumed the chair, and Mr. Rexford, from the said committee, reported the same with an amendment, which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the Comptroller be required to endorse upon the bonds of Eliphalet Hotchkiss, which were given to the people of this state in April 1821, for Oneida Castleton lots purchased by him in that year, the amount of money which had been paid into the treasury by the said Hotchkiss, for lots purchased in the same village by him in 1817, the purchases of 1817 having been abandoned; and that the same be applied as of the date of the bonds, and in proportion to their respective amounts, according to the provisions of an act entitled "An act for the relief of the purchasers of village lots at Oneida Castleton, in the county of Oneida," passed February 12, 1822.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Buffalo fire and marine insurance company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Sanford, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Joseph Cole and James Carver;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Armstrong, from the said committee, reported the same with an amendment, which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act declaring the New-Hamburg turnpike company a public highway;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Then the Senate adjourned until 11 o'clock to-morrow morning.

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**FRIDAY, 11 O'CLOCK, A. M.—FEBRUARY 19, 1830.**

The Senate met pursuant to adjournment.

Mr. Todd presented the memorial of the New-York Eye infirmary, praying for legislative aid, and also the annual returns of the in-

stitution; which were read and referred to the committee on literature, and ordered to be printed.

[*See Document No. 184.*]

Mr. Woodward presented the petition of George S. Doughty and others, praying for an act to incorporate the Clinton fire insurance company in the city of New-York, which was read, and referred to the committee on banks and insurance companies.

Mr. Allen presented the memorial of the trustees of the bank for savings in the city of New-York, praying for an extension of their powers in relation to the investing of the money of depositors, which was read, and referred to the committee on banks and insurance companies.

Mr. Throop, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act altering the terms of the court of common pleas and general sessions of the county of Schenectady," which was committed to a committee of the whole.

Mr. Todd, from the committee on canals, reported without amendment, the bill entitled "An act concerning the appraisement of damages on canals, and the compensation allowed to the canal appraisers," which was committed to a committee of the whole.

Mr. Waterman from the committee on canals, to whom was referred the petition of Thaddeus Joy and others, praying for an alteration in the law regulating the passage of boats upon the canals, together with the report of the canal board on that petition, made a report in favor of the prayer of the petitioners, and brought in a bill, entitled "An act regulating the passage of boats through the locks on the canals belonging to this state;" which was read the first time, and by unanimous consent, was also read a second time, and committed to a committee of the whole, and ordered to be printed.

[*See Document No. 183.*]

Mr. Conklin, from the select committee on the bill from the Assembly, entitled "An act for the relief of the president, directors and company of the Brooklyn, Jamaica and Flatbush turnpike company," reported the same without amendment, which was committed to a committee of the whole.

Mr. Conklin, from the select committee on the bill from the Assembly, entitled "An act relative to the liberties of the jail in the city and county of New-York," reported the same with an amendment, which was committed to a committee of the whole."

The annual report of the trustees of the New-York bank for savings, for the year 1829, was received and read and ordered to be referred to the committee on banks and insurance companies.

[*See Document No. 185.*]

The annual report of the trustees of the state library, was received and read, and ordered to be laid on the table.

[See Document No. 190.]

The bill entitled "An act relative to the court of common pleas for the city and county of New-York," was received from the Assembly, with a message that they had passed the same, with the amendments therewith delivered.

*Ordered*, That the said bill and amendments be referred to a select committee consisting of the members attending the Senate from the first senate district.

Two bills were received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same severally, and had amended them accordingly, of the following titles, to wit :

"An act authorising the appointment of a supreme court commissioner to reside in the county of Oswego, and to vest certain powers of a judge of the common pleas in the recorder of the city of Hudson."

"An act to erect the town of Amity, in the county of Allegany." The said amended bills having been examined,

*Ordered*, That the clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Perkins Nichols;" which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act concerning the map and atlas of the state;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the New-York union African society;" which was read the first time, and by unanimous consent, was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the first senate district.

A bill was received from the Assembly for concurrence, entitled "An act to increase the number of constables in the town of Johnstown;" which was read the first time, and by unanimous consent, was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the fourth senate district.

On motion of Mr. Maynard :

*Resolved*, That a committee, consisting of one member from each senate district, be appointed to inquire and report upon the expediency of offering for sale all the lands now belonging to the people of this state, in the aggregate, those lands belonging to each fund by themselves ; and if the said committee shall deem the measure expedient, to report a bill for that purpose.

**Ordered**, That said committee consist of Mr. Maynard, Mr. Todd, Mr. Throop, Mr. Hubbard, Mr. Sherman, Mr. McMartin, Mr. Porter, and Mr. Deitz.

On motion of Mr. Hubbard :

**Resolved**, That the judiciary committee be instructed to inquire whether any alteration in the existing laws relative to personal mortgages, on bills of sale of personal property, is expedient, and report their opinion to the Senate.

Mr. Mather asked for and obtained leave of absence for eight days.

Mr. Tracy, from the committee on enrolled bills, reported three bills as correctly engrossed, of the following titles, to wit :

"An act in relation to certain proceedings in criminal cases in the city of New-York, and concerning certain courts therein :"

"An act declaring the New-Hamburgh turnpike a public highway :"

"An act for the relief of Joseph Cole and James Carver :"

Thereupon,

The said engrossed bill, entitled "An act in relation to certain proceedings in criminal cases in the city of New-York, and concerning certain courts therein," was read the third time and passed.

The said engrossed bill, entitled "An act declaring the New-Hamburgh turnpike a public highway ;" was read the third time and passed ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

#### FOR THE AFFIRMATIVE.

|               |             |              |
|---------------|-------------|--------------|
| Mr. Allen     | Mr. Hubbard | Mr. Sherman  |
| Mr. Armstrong | Mr. Mather  | Mr. Throop   |
| Mr. Beardsley | Mr. Maynard | Mr. Todd     |
| Mr. Boughton  | Mr. Oliver  | Mr. Tracy    |
| Mr. Conklin   | Mr. Porter  | Mr. Waterman |
| Mr. Deitz     | Mr. Rexford | Mr. Wheeler  |
| Mr. Enos      | Mr. Sanford | Mr. Woodward |
| Mr. Gere      | Mr. Schenck |              |

23

**Ordered**, That the clerk deliver said several bills to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act providing for the erection of a bridge over the Walkill, in the town of Shawangunk," with the engrossed amendments, was read the third time and passed.

**Ordered**, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Buffalo fire and marine insurance company ;" and after some time spent there-

on, Mr. President resumed the chair, and Mr. Sanford, from the said committee, reported the same with amendments.

*Ordered*, That said report be laid on the table.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to extend the time for the collection of taxes in the town of Bushwick, in the county Kings;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Boughton, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to divide the town of Little Valley, in the county of Cattaraugus;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act altering the terms of the court of common pleas and general sessions of the county of Schenectady;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Sherman, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act concerning the appraisement of damages on canals, and the compensation allowed to the canal appraisers;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Mather, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the relief of the president, directors and company of the Brooklyn, Jamaica and Flatbush turnpike company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

After the consideration of executive business, the Senate adjourned until 11 o'clock to-morrow morning.

**SATURDAY, 11 O'CLOCK, A.M.—FEBRUARY 20, 1830.**

The Senate met pursuant to adjournment.

Mr. Throop, from the committee on the judiciary, reported, with amendments, the bill from the Assembly, entitled "An act requiring the register of the city and county of New-York to appoint a deputy;" which was committed to a committee of the whole.

Mr. Hubbard, on behalf of the committee on state prisons, on the petition of the supervisors of the county of Chenango, reported a bill entitled "An act to provide for the erection of a new stone jail, in the county of Chenango;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Hubbard, from the committee on claims, reported without amendment, the bill from the Assembly, entitled "An act for the relief of Perkins Nichols;" which was committed to a committee of the whole.

Mr. Allen, from the select committee on the amendments of the Assembly, to the bill entitled "An act relative to the court of common pleas for the city and county of New-York," reported, recommending a concurrence in the amendments of the Assembly to the title, and to the second section of said bill, and a non-concurrence in their amendment to the third section thereof.

*Ordered*, That said bill and amendments be laid on the table.

Mr. Sanford, from the select committee on the bill from the Assembly, entitled "An act to increase the number of constables in the town of Johnstown," reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Conklin, from the select committee on the bill from the Assembly, entitled "An act to incorporate the New-York union African society," reported the same without amendment, which was committed to the committee of the whole.

A report from the honorable Addison Gardiner, circuit judge of the eighth circuit, pursuant to the request of the resolution of the Senate of the 29th day of January last, was received and read, and referred to the committee on the judiciary, and ordered to be printed.

[*See Document No. 186.*]

The bill entitled "An act regulating highways and bridges in the counties of Suffolk, Queens and Kings," was received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amendment having been examined,

*Ordered*, That the clerk return said bill to the Assembly.

Two bills were received from the Assembly for concurrence, of the following titles, to wit:

[SENATE JOURNAL.]

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"An act to incorporate the Manhattan gas light company :"

"An act to incorporate the Clinton hall association in the city of New-York :"

Which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on banks and insurance companies.

The Senate then took up the consideration of the resolution offered by Mr. Throop on the 16th instant, which was amended and agreed to in the words following, to wit :

*Resolved*, (if the Assembly concur,) that Mr. Bötler and Mr. Duer, two of the late revisers of the laws, be directed to prepare and report to this legislature, with all convenient despatch, an act containing such provisions as shall have been made by the legislature, or may have been discovered by them and considered necessary, to carry into effect the intention of the legislature in passing the various parts of the Revised Statutes, so that the said act so to be reported, may be acted upon in season to have the same published in the third part of the Revised Statutes.

*Ordered*, That the clerk deliver a copy of said resolution to the Assembly.

On motion of Mr. Waterman,

*Ordered*, That the committee on canals be discharged from the further consideration of the petition of the Long-Island harbor company, praying for an act of incorporation, and also for pecuniary aid in constructing a harbor in the town of Southold, in the county of Suffolk, and that the same be referred to a select committee consisting of the members attending the Senate from the first senate district.

The Senate then took up the consideration of the question on the final passage of the engrossed bill, entitled "An act for the relief of the children of David Smith and their heirs."

Mr. President decided that the bill was one requiring the assent of two-thirds of all the members elected to the Senate, to pass the same.

Thereupon,

Mr. Warren appealed from the decision of the chair.

Debates were had thereon, and,

Mr. President put the question, "Is the decision of the chair correct?" and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit :

#### FOR THE AFFIRMATIVE.

Mr. Armstrong  
Mr. Benton  
Mr. Conklin  
Mr. Deitz  
Mr. Gere

Mr. Maynard  
Mr. Rexford  
Mr. Sherman  
Mr. Throop

Mr. Todd  
Mr. Tracy  
Mr. Waterman  
Mr. Woodward

## FOR THE NEGATIVE.

|               |             |             |
|---------------|-------------|-------------|
| Mr. Allen     | Mr. Hubbard | Mr. Schenck |
| Mr. Beardsley | Mr. McCarty | Mr. Warren  |
| Mr. Boughton  | Mr. Porter  | Mr. Wheeler |
| Enos          |             |             |

10

Thereupon,

Mr. President put the question on the final passage of said bill, and it was decided in the negative; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |             |              |
|---------------|-------------|--------------|
| Mr. Allen     | Mr. Maynard | Mr. Sherman  |
| Mr. Beardsley | Mr. McCarty | Mr. Tracy    |
| Mr. Boughton  | Mr. Oliver  | Mr. Warren   |
| Mr. Deitz     | Mr. Porter  | Mr. Wheeler  |
| Mr. Enos      | Mr. Schenck | Mr. Woodward |
| Mr. Hubbard   |             |              |

16

## FOR THE NEGATIVE.

|               |             |              |
|---------------|-------------|--------------|
| Mr. Armstrong | Mr. Gere    | Mr. Todd     |
| Mr. Benton    | Mr. Rexford | Mr. Waterman |
| Mr. Conklin   | Mr. Throop  |              |

8

The bill from the Assembly, entitled "An act to increase the number of constables in the town of Johnstown," was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill entitled "An act in relation to certain proceedings in criminal cases in the city of New-York, and concerning certain courts therein," was received from the Assembly with a message that they had passed the same without amendment, and was presented to his honor the Lieutenant-Governor by the clerk.

Then the Senate adjourned until 11 o'clock on Monday morning next.



**MONDAY, 11 O'CLOCK, A. M.—FEBRUARY 22, 1830.**

The Senate met pursuant to adjournment.

Mr. Enos presented the remonstrance of sundry freeholders residing on the fourth tier of lots from the south line of Marcellus, against being annexed to the town of Spafford, which was read, and ordered to be laid on the table.

Mr. Enos presented the petition of the trustees of Schenando cotton manufactory, praying for a law authorising them to sell their real estate, which was read, and referred to the committee on manufactures.

Mr. Maynard presented the petition of Edmund A. Wetmore of Utica, praying for the passage of an act to enable him to procure proof of the will of Lord Selkirk, which was read, and referred to the committee on the judiciary.

Mr. Waterman presented the petition of sundry inhabitants of Broome county, praying for a bank to be located in the village of Binghamton, which was read, and referred to the committee on banks and insurance companies.

Mr. Armstrong presented the petition of sundry inhabitants of the town of Spafford, relative to a division of the town of Marcellus, and the annexing a part thereof to the town of Spafford, which was read, and ordered to be laid on the table.

Mr. Deitz presented four several petitions of sundry inhabitants of the counties of Albany and Schoharie, praying for the passage of an act to incorporate a company to construct a rail-road from Canajoharie to Catskill, which were read, and referred to a committee of the whole when on the bill to which the subject relates.

Mr. Allen, from the committee on banks and insurance companies, reported, with amendments, the bill from the Assembly, entitled "An act to incorporate the Manhattan gas light company," which was committed to a committee of the whole.

Mr. Allen, from the same committee, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Clinton hall association in the city of New-York," which was committed to a committee of the whole.

Mr. Sanford, from the select committee on the bill from the Assembly, entitled "An act relative to the gospel and school lots, in the county of St. Lawrence," reported the same without amendment, which was committed to a committee of the whole.

A communication was received from the Secretary of State, relative to furnishing the several counties with standard weights and measures, which was read, and referred to the committee on the judiciary.

[See Document No. 188.]

Two messages from his honor the Lieutenant-Governor, delivered by his private secretary, were read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act for the relief of the executors of Hannah Fisher, deceased."

E. T. THROOP.

*Albany, February 17, 1830.*

TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act in relation to certain proceedings in criminal cases in the city of New-York, and concerning certain courts therein."

E. T. THROOP.

*Albany, February 20, 1830.*

On motion of Mr. Hubbard,

*Ordered*, That Orson Smith have leave to withdraw his petition and the accompanying documents.

On motion of Mr. Maynard,

*Ordered*, That Allen Hills and Thomas Spencer have leave to withdraw their petition and the accompanying documents.

Mr. President put the question on the final passage of the bill from the Assembly, entitled "An act to divide the town of Marcellus in the county of Onondaga," with the engrossed amendments, and it was decided in the affirmative.

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The engrossed bill entitled "An act concerning the appraisement of damages on canals, and the compensation allowed to canal appraisers," was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act to divide the town of Little Valley, in the county of Cattaraugus," was read the third time and passed.

The bill from the Assembly, entitled "An act altering the terms of the court of common pleas and general sessions of the county of Schenectady," was read the third time and passed.

The bill from the Assembly, entitled "An act to extend the time for the collection of taxes in the town of Bushwick, in the county of Kings," was read the third time and passed.

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same severally, without amendment.

The bill from the Assembly, entitled "An act for the relief of the president, directors and company of the Brooklyn, Jamaica and Flat-

bush turnpike company," was read the third time, and the question on its final passage ordered to be laid on the table.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act relative to the liberties of the jail in the city and county of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Enos, from the said committee, reported the same with an amendment, which report was agreed to by the Senate, and the amendment ordered to be engrossed, and the bill to a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act for the amendment of the law relative to principals and factors or agents;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported the same with amendments.

*Ordered*, That said report be laid on the table, and that the same be printed.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act requiring the register of the city and county of New-York to appoint a deputy;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Rexford, from the said committee, reported the same with amendments, and an alteration of the title, so as to read "An act requiring the register of the city and county of New-York to appoint a deputy, and concerning vacancies in said office, and in the offices of sheriffs and clerks of counties," which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the relief of Perkins Nichols;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Sanford, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the Manhattan gas light company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported the same with amendments, which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the New-York union African society;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Boughton, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the Clinton Hall association in the city of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Maynard, from the said committee, reported the same without amend-

ment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to provide for the erection of a new stone jail in the county of Chenango;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Then the Senate adjourned until 11 o'clock to-morrow morning.

**TUESDAY, 11 O'CLOCK, A. M.—FEBRUARY 23, 1830.**

The Senate met pursuant to adjournment.

Mr. Tracy presented the petition of the trustees of the first congregational society of the town of Eden, in the county of Erie, praying for power to sell and convey certain lands, which was read, and referred to the committee on the judiciary.

Mr. Allen, from the committee on banks and insurance companies, on the petition of sundry inhabitants of Broome county, reported a bill entitled "An act to incorporate the president, directors and company of the Binghamton bank;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole, and ordered to be printed.

Mr. Allen, from the same committee, on the petition of S. Gouverneur and others, reported a bill entitled "An act to incorporate the Putnam county bank;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole, and ordered to be printed.

Mr. Sherman, from the select committee, to which was referred the petition of the directors of the New-York institution for the instruction of the deaf and dumb, made a favorable report on the same, and by leave, brought in a bill entitled "An act to amend an act entitled 'An act extending, and supplementary to certain acts, providing for the indigent deaf and dumb within this state,' " passed April 15, 1825; which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

[*See Document No. 192.*]

A report was received from the Comptroller, on the memorial of the president, managers and company of the Delaware and Hudson canal company, relative to the transfer of certain stocks, which was read and referred to the committee on the judiciary.

[*See Document No. 198.*]

The bill entitled "An act providing for the erection of a bridge over the Walkill, in the town of Shawangunk," was received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

*Ordered*, That the clerk return the same to the Assembly.

Mr. Maynard moved a resolution in the words following, to wit :

*Resolved*, That the Canal Commissioners report to the Senate, whether in their opinion any higher rates of duties or tolls, can with advantage to the interests of the state, be imposed upon any merchandize or property transported upon the canals of this state, particularly from the Hudson river into the country ; and if in their opinion higher duties or tolls may with advantage be imposed, that they specify in their report the kinds of merchandize or property upon which such higher duties or tolls may be imposed, and the rate or amount of increase which may be so advantageously imposed.

*Ordered*, That said resolution be laid on the table.

The Senate then took up the consideration of the report of the committee of the whole on the bill entitled "An act for the amendment of the law relative to principals and factors, or agents ;" which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

On motion of Mr. Tracy,

*Ordered*, That the bill entitled "An act to incorporate the Buffalo fire and marine insurance company," be recommitted to a committee of the whole.

Mr. Tracy, from the committee on enrolled bills, reported the bill entitled "An act to provide for the erection of a new stone jail in the county of Chenango," as correctly engrossed.

Thereupon,

The said engrossed bill was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act to incorporate the Manhattan gas light company," with the engrossed amendments, was read the third time, and the question on its final passage ordered to be laid on the table.

The bill from the Assembly, entitled "An act to incorporate the New-York union African society," was read the third time and passed ; two-thirds of all the members elected to the Senate voting in favor thereof as follows, to wit :

#### FOR THE AFFIRMATIVE.

|               |             |              |
|---------------|-------------|--------------|
| Mr. Allen     | Mr. Maynard | Mr. Throop   |
| Mr. Armstrong | Mr. McCarty | Mr. Todd     |
| Mr. Benton    | Mr. Oliver  | Mr. Tracy    |
| Mr. Boughton  | Mr. Porter  | Mr. Warren   |
| Mr. Conklin   | Mr. Rexford | Mr. Waterman |
| Mr. Deitz     | Mr. Sanford | Mr. Wheeler  |
| Mr. Enos      | Mr. Schenck | Mr. Woodward |
| Mr. Gere      | Mr. Sherman |              |

The bill from the Assembly, entitled "An act to incorporate the Clinton Hall association in the city of New-York," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |             |              |
|---------------|-------------|--------------|
| Mr. Allen     | Mr. Hubbard | Mr. Sherman  |
| Mr. Armstrong | Mr. Maynard | Mr. Throop   |
| Mr. Benton    | Mr. McCarty | Mr. Todd     |
| Mr. Boughton  | Mr. Oliver  | Mr. Tracy    |
| Mr. Conklin   | Mr. Porter  | Mr. Warren   |
| Mr. Deitz     | Mr. Rexford | Mr. Waterman |
| Mr. Enos      | Mr. Sanford | Mr. Wheeler  |
| Mr. Gere      | Mr. Schenck | Mr. Woodward |

24

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The bill from the Assembly, entitled "An act requiring the register of the city of New-York to appoint a deputy, and concerning vacancies in said office, and in the offices of sheriffs and clerks of counties," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly, entitled "An act relative to the liberties of the jail in the city and county of New-York," with the engrossed amendment, was read the third time and passed.

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same severally, with the amendments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Buffalo fire and marine insurance company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported the same with amendments.

*Ordered*, That said report be laid on the table.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Canajoharie and Catskill rail-road company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Enos, from the said committee, reported progress, and asked for and obtained leave to sit again.

After the consideration of executive business, the Senate adjourned until 11 o'clock to-morrow morning.

**WEDNESDAY, 11 O'CLOCK, A. M.—FEBRUARY 24, 1830.**

The Senate met pursuant to adjournment.

Mr. Allen, from the committee on banks and insurance companies, to whom was referred the annual report of the bank for savings in the city of New-York, together with their memorial, praying for an extension of powers in relation to the investing of the money of depositors, made a favorable report on said memorial, and brought in a bill entitled "An act for the relief of the bank for savings in the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

[See Document No. 203.]

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Charlotte Sewell and others;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Gere asked for and obtained leave of absence for three days from to-morrow.

Mr. Sherman, from the committee on enrolled bills, reported the bill entitled "An act for the amendment of the law relative to principals and factors or agents," as correctly engrossed.

Thereupon,

The said engrossed bill was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

Mr. President put the question on the final passage of the bill from the Assembly, entitled "An act to incorporate the Manhattan gas light company," with the engrossed amendments, and it was decided in the affirmative; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |             |              |
|---------------|-------------|--------------|
| Mr. Allen     | Mr. Enos    | Mr. Sanford  |
| Mr. Armstrong | Mr. Gere    | Mr. Schenck  |
| Mr. Benton    | Mr. Hubbard | Mr. Sherman  |
| Mr. Boughton  | Mr. Maynard | Mr. Throop   |
| Mr. Bronson   | Mr. McCarty | Mr. Todd     |
| Mr. Conklin   | Mr. Oliver  | Mr. Waterman |
| Mr. Deitz     | Mr. Porter  | Mr. Woodward |
| Mr. Eaton     | Mr. Rexford |              |

23

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Canajoharie and Catskill rail-road company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Enos, from the said committee, reported the same with amendments.

*Ordered*, That said report be laid on the table.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act regulating the passage of boats through the locks, on the canals belonging to this state;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Woodward, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

**THURSDAY, 11 O'CLOCK, A. M.—FEBRUARY 25, 1830.**

The Senate met pursuant to adjournment.

Mr. Benton presented the petition of Emmanuel Count de Grouchy, an alien, praying for leave to hold and convey certain lands purchased by him under a former act of the Legislature; which was read, and referred to the committee on the judiciary.

Mr. Benton, from the committee on the judiciary, reported, with amendments, the bill from the Assembly, entitled "An act to compel the attendance of witnesses before a board of supervisors;" which was committed to a committee of the whole.

Mr. Benton, from the same committee, reported without amendment, the bill from the Assembly, entitled "An act changing the names of William Coxhead and Jonathan Thomas Patten;" which was committed to a committee of the whole.

Mr. Woodward, from the committee on manufactures, to which was referred the memorial of Matthew Gregory and others, praying for an act incorporating them and their associates, for the purpose of supplying the citizens of Albany with pure and wholesome water, made a favorable report on said memorial, and brought in a bill entitled "An act to incorporate a second company to supply the city of Albany with water;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole, and ordered to be printed.

[See Document No. 202.]

A bill was received from the Assembly for concurrence, entitled "An act authorising the supervisors of Orange county to raise five thousand dollars, to complete the poor-house of said county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.



A bill was received from the Assembly for concurrence, entitled "An act further to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Waterford,' passed 6th April, 1801;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the fourth senate district.

A copy of a resolution was received from the Assembly, informing that they had concurred in the resolution of the Senate of the 20th instant, with amendments so as to read as follows :

*Resolved*, (if the Assembly concur,) That the late Revisers of the Laws, or any two of them, be directed to prepare and report to this Legislature, with all convenient despatch, an act containing such provisions as shall have been made by the Legislature, or as they may deem necessary, to carry into effect the intention of the Legislature in passing the various parts of the Revised Statutes, so that the said act so to be reported, may be acted upon by the Legislature in season to have the same published in the third volume of the Revised Statutes.

*Ordered*, That the said resolution and amendments be laid on the table.

The Senate then took up the consideration of the resolution moved by Mr. Maynard on the 23d instant, which was amended and agreed to in the words following, to wit :

*Resolved*, That the Canal Board report to the Senate, whether in their opinion any higher rates of duties or tolls, can with advantage to the interests of the State, be imposed upon any merchandize or property transported upon the canals of this State, particularly from the Hudson river into the country ; and if in their opinion higher duties or tolls may with advantage be imposed, that they specify in their report the kinds of merchandize or property upon which such higher duties or tolls may be imposed, and the rate or amount of increase which may be so advantageously imposed.

The Senate then took up the consideration of the amendments of the Assembly to the bill entitled "An act relative to the court of common pleas for the city and county of New-York."

Thereupon,

*Resolved*, That the Senate do concur with the Assembly in their amendments to the title and to the second section of said bill, and do not concur in their amendment to said bill in striking out the third section thereof.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

The Senate then took up the consideration of the report of the committee of the whole, on the bill entitled "An act to incorporate the Buffalo fire and marine insurance company;" which, after amending the same, was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the president, directors and company of the Binghamton Bank;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Porter, from

the said committee, reported the same with amendments; which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the president, directors and company of the Putnam County Bank;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Beardsley, from the said committee, reported the same with amendments; which report, after amending the same, was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act relative to the gospel and school lots in the county of St. Lawrence;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Conklin, from the said committee, reported the same with an amendment.

*Ordered*, That said report be laid on the table.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to compel the attendance of witnesses before a board of supervisors;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Armstrong, from the said committee, reported progress, and asked for leave to sit again.

*Ordered*, That said committee do not have leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

**FRIDAY, 11 O'CLOCK, A. M.—FEBRUARY 26, 1830.**

The Senate met pursuant to adjournment.

Mr. Conklin presented the petition of sundry inhabitants of Suffolk county, praying for a repeal of so much of the Revised Statutes as prohibits the hunting of deer with hounds and beagles in said county; which was read, and referred to a select committee, consisting of the members attending the Senate from the first senate district.

Mr. Armstrong presented the petition of Andrew Phares, praying compensation for lot number 11 in the village of Geddes; which was read, and referred to the committee on claims.

Mr. Bronson presented the petition of the president and trustees of the village of Oswego, praying for leave to sell their school lot; which was read, and referred to a select committee, consisting of the members attending the Senate from the fifth senate district.

Mr. Benton, from the committee on the judiciary, on the communication of the Secretary of State of the 22d instant, reported a bill entitled "An act directing the mode in which the expenses for furnishing certain standard weights and measures are to be defrayed;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Todd, from the committee on finance, to which was referred the resolution of the Senate of the 12th instant, requiring the committee "to report on the expediency of authorising a state tax," and also the resolution of the 13th instant, requiring the committee "to report whether it be not practicable to provide for the support of the government without the imposition of a tax on real estate, and if practicable, to report a plan for that purpose," made a report on those subjects, and brought in a bill entitled "An act to provide for the deficiency in the revenue of the general fund;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole, and ordered to be printed.

[See Document No. 205.]

*Ordered*, That double the usual number of copies of said report be printed.

Three bills were received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same respectively, and had amended them accordingly, of the following titles, to wit:

"An act to incorporate the Manhattan gas light company :"

"An act requiring the register of the city and county of New-York to appoint a deputy, and concerning vacancies in said office, and in the offices of sheriffs and clerks of counties :"

"An act to divide the town of Marcellus, in the county of Onondaga :"

The said amended bills having been examined,

*Ordered*, That the clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the New-York life insurance and trust company ;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

Mr. Hubbard gave notice that he would, on some future day, ask leave to introduce a bill to amend the act entitled "An act to incorporate the village of Norwich."

On motion of Mr. Hubbard,

*Ordered*, That the committee on claims be discharged from the further consideration of the petition of Andrew Phares, and that the same be referred to the Surveyor-General.

Mr. Bronson, pursuant to previous notice, asked for and obtained leave to bring in a bill entitled "An act to incorporate the Jefferson cotton mills."

Thereupon,

Mr. Bronson brought in said bill, which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

On motion of Mr. Benton,

*Resolved*, That the vacancies in the committees of the Senate, occasioned by the death of the Hon. Moses Hayden, be supplied by new appointments.

Mr. Tracy, from the committee on enrolled bills, reported the bill entitled "An act to incorporate the Buffalo fire and marine insurance company," as correctly engrossed.

Thereupon,

The said engrossed bill was read the third time, and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |             |              |
|---------------|-------------|--------------|
| Mr. Allen     | Mr. Eaton   | Mr. Sanford  |
| Mr. Armstrong | Mr. Enos    | Mr. Sherman  |
| Mr. Beardsley | Mr. Hubbard | Mr. Throop   |
| Mr. Benton    | Mr. Maynard | Mr. Todd     |
| Mr. Boughton  | Mr. McCarty | Mr. Tracy    |
| Mr. Bronson   | Mr. Oliver  | Mr. Waterman |
| Mr. Conklin   | Mr. Porter  | Mr. Wheeler  |
| Mr. Deitz     | Mr. Rexford | Mr. Woodward |

24

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The Senate then took up the consideration of the report of the committee of the whole, on the bill from the Assembly, entitled "An act relative to the gospel and school lots in the county of St. Lawrence;" which was agreed to by the Senate, and the amendment ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising the survey of the Susquehanna and Chemung rivers," and after some time spent thereon, Mr. President resumed the chair, and Mr. Woodward, from the said committee, reported progress, and asked for and obtained leave to sit again.

After the consideration of executive business, the Senate adjourned until 11 o'clock to-morrow morning.

**SATURDAY, 11 O'CLOCK, A. M.—FEBRUARY 27, 1830.**

The Senate met pursuant to adjournment.

Mr. Beardsley presented the petition of sundry inhabitants of Rensselaer county, praying for the incorporation of a company to construct a turnpike road from the city of Troy to Pittstown; which was read, and referred to the committee on roads and bridges.

Mr. Benton, from the committee on the judiciary, reported, without amendment, the bill from the Assembly, entitled "An act for the relief of Alida Vrooman and others;" which was committed to a committee of the whole.

Mr. Wheeler, from the committee on the militia, made a report on that subject, and brought in a bill entitled "An act to reduce the parades and rendezvous of the militia, and to amend the provisions of chapter ten of the first part of the Revised Statutes, so far as to conform them to this act;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole, and ordered to be printed.

[See Document No. 206.]

The bill entitled "An act relative to the court of common pleas for the city and county of New-York," was received from the Assembly, with a message that they adhere to their amendment to said bill not concurred in by the Senate.

Thereupon,

*Resolved*, That the Senate do insist upon their resolution of non-concurrence in said amendment.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

*Resolved*, (if the Assembly concur herein,) That a committee of conference be appointed, on the amendment to the bill entitled "An act relative to the court of common pleas for the city and county of New-York," which is the subject of disagreement between the two houses; and in case of concurrence, that Mr. Throop, Mr. Sherman and Mr. Benton, be of said committee on the part of the Senate.

*Ordered*, That the clerk deliver a copy of said resolution to the Assembly.

Mr. Tracy, pursuant to previous notice, asked for and obtained leave to bring in a bill, entitled "An act relative to the court of general sessions of the county of Erie."

Thereupon,

Mr. Tracy brought in said bill; which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

The Senate then took up the consideration of the amendments of the Assembly to the resolution of the Senate of the 20th instant, directing the Revisers of the Laws to prepare and report to the Legislature, an act containing such provisions as may be deemed necessary to carry into effect the intentions of the Legislature in passing the various parts of the Revised Statutes, &c.

Thereupon,

*Resolved*, That the Senate do concur with the Assembly in their amendments to said resolution.

*Ordered*, That the clerk deliver a copy of the preceding resolutions to the Assembly.

The Senate then took up the consideration of the report of the committee of the whole, on the bill entitled "An act to incorporate the Canajoharie and Catskill rail-road company;" which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Tracy, from the committee on enrolled bills, reported the bill entitled "An act to incorporate the president, directors and company of the Binghamton Bank," as correctly engrossed.

Mr. Sherman, from the same committee, reported the bill entitled "An act to incorporate the president, directors and company of the Putnam County Bank," as correctly engrossed.

Thereupon,

The said engrossed bill, entitled "An act to incorporate the president, directors and company of the Binghamton Bank," was read the third time, and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |             |              |
|---------------|-------------|--------------|
| Mr. Allen     | Mr. Eaton   | Mr. Sanford  |
| Mr. Armstrong | Mr. Enos    | Mr. Sherman  |
| Mr. Beardsley | Mr. Hubbard | Mr. Throop   |
| Mr. Benton    | Mr. Maynard | Mr. Todd     |
| Mr. Boughton  | Mr. McCarty | Mr. Tracy    |
| Mr. Brouson   | Mr. Oliver  | Mr. Waterman |
| Mr. Conklin   | Mr. Porter  | Mr. Wheeler  |
| Mr. Deitz     | Mr. Rexford | Mr. Woodward |

24

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The said engrossed bill, entitled "An act to incorporate the president, directors and company of the Putnam County Bank," was read the third time, and the question on its final passage ordered to be laid on the table.

The bill from the Assembly entitled "An act relative to the gospel and school lots in the county of St. Lawrence," with the engrossed amendments, was read the third time, and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

*Ordered*, That the consideration of the bill from the Assembly, entitled "An act authorising the survey of the Susquehanna and Chemung rivers, and for other purposes," be postponed until Monday next.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of the Bank of Savings in the city of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Eaton, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

A bill was received from the Assembly for concurrence, entitled "An act to extend the time for the collection of taxes in the several wards of the city of Albany;" which was read the first time, and by unanimous consent was also read a second and third times, and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to change the names of William Coxhead and Jonathan Thomas Patten;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Rexford, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising the supervisors of Orange county to raise five thousand dollars, to complete the poor-house of said county;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tracy, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act directing the mode in which the expenses for furnishing certain standard weights and measures are to be defrayed;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Bronson, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Jefferson cotton mills;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Waterman, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the relief of Alida Vrooman and others;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Maynard, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act relative to the court of general sessions in the county of Erie;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act authorising John E. Hinman and Henry W. Schroëppel to erect and maintain a dam across the Oneida river;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock on Monday morning next.

**MONDAY, 11 O'CLOCK, A. M.—MARCH 1, 1830.**

The Senate met pursuant to adjournment.

Mr. Armstrong presented the petition of sundry inhabitants of the town of Sodus, Wayne county, praying for a law authorising the board of supervisors to raise an additional sum of money, for the repair of roads and bridges in said town; which was read, and referred to the committee on roads and bridges.

Mr. Boughton presented the remonstrance of Levi A. Ward and others, against the repeal of the act giving preference to packet boats at the locks on the canals; which was read, and referred to a committee of the whole when on the bill upon that subject.

Mr. Benton, from the committee on the judiciary, reported, without amendment, the bill from the Assembly, entitled "An act for the relief of Charlotte Sewell and others;" which was committed to a committee of the whole.

Mr. Bronson, from the select committee on the petition of Joseph Denison and others, reported, that the committee had prepared a bill entitled "An act to incorporate the Lake Ontario steam-boat company;" which, by leave, was brought in, read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole, and ordered to be printed.

A report was received from the Regents of the University, in compliance with the resolution of the Senate of the 4th of February last; which was read, and referred to the committee on literature.

[See Document No. 218.]

Mr. Armstrong asked for and obtained leave of absence for Mr. Wheeler, for eight days.

The bill from the Assembly, entitled "An act for the relief of Alida Vrooman and others," was read the third time, and the question on its final passage ordered to be laid on the table.

The bill from the Assembly, entitled "An act changing the names of William Coxhead and Jonathan Thomas Patten," was read the third time, and passed.

The bill from the Assembly, entitled "An act authorising the supervisors of Orange county to raise five thousand dollars, to complete the poor-house of said county," was read the third time, and passed.

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act regulating the passage of boats through the locks on the canals belonging to this state;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Woodward, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.



**TUESDAY, 11 O'CLOCK, A. M.—MARCH 2, 1830.**

The Senate met pursuant to adjournment.

Mr. Conklin presented the petition of the owners of the long wharf in the port of Saggy-Harbor, praying for an act of incorporation; which was read, and referred to a select committee, consisting of Mr. Conklin, Mr. Sherman and Mr. Schenck.

Mr. Mather presented the memorial of the members of the bar of Onondaga county, praying for a law to authorise the holding of the circuit and other courts in said county at the new court-house; which was read, and referred to a select committee, consisting of Mr. Mather, Mr. Throop and Mr. Armstrong.

Mr. Throop, from the committee on state prisons, made a report on the subject of building a prison for female convicts, and brought in a bill entitled "An act authorising the erection of a state prison for female convicts;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole, and ordered to be printed.

*[See Document No. 238.]*

Mr. Allen, from the committee on banks and insurance companies, reported, with amendments, the bill from the Assembly, entitled "An act to incorporate the New-York life insurance and trust company;" which was committed to a committee of the whole.

Mr. Sanford, from the select committee on the bill from the Assembly, entitled "An act further to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Waterford,' passed 6th April, 1801," reported the same without amendment; which was committed to a committee of the whole.

Mr. Allen, from the select committee to which was referred the bill from the Assembly, entitled "An act for the better security of mechanics and others erecting buildings in the city and county of New-York," together with the remonstrance of sundry freeholders and builders of said city against the passage of said bill, made a report against the said bill; which, together with the bill, was ordered to be committed to a committee of the whole.

*[See Document No. 231.]*

Mr. Bronson, from the select committee on the petition of the president and trustees of the village of Oswego, reported, that the committee had prepared a bill, entitled "An act to authorise the sale of the school lot in the village of Oswego;" which, by leave, was brought in, read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

A message was received from his honor the Lieutenant-Governor, delivered by his private secretary, relative to the state prisons; which was read, and referred to the committee on state prisons.

*[See Document No. 220.]*

A copy of a resolution from the Assembly, was read, informing that they had concurred in the resolution of the Senate, for appointing a committee of conference on the amendment to the bill entitled "An act relative to the court of common pleas for the city and county of New-York," which is the subject of disagreement between the two Houses; and had appointed Mr. Granger, Mr. Titus and Mr. Vanderpoel, to be of said committee on the part of that House.

A bill was received from the Assembly for concurrence, entitled "An act to repeal sections fifty-four and fifty-five of the third article of the second title of the first chapter of the third part of the Revised Statutes;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to repeal certain sections of title second of the eighteenth chapter of the first part of the Revised Statutes;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act for the relief of the Stock-bridge Indians,' passed February 18th, 1823;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on Indian affairs.

Two bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act authorising the appointment of an additional inspector of fish in the county of Jefferson:"

"An act to amend an act entitled 'An act to incorporate the New-Hartford fire company,' passed April 22d, 1829:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the members attending the Senate from the fifth senate district.

Mr. Hubbard, pursuant to previous notice, asked for and obtained leave to bring in a bill entitled "An act to amend the act entitled 'An act to incorporate the village of Norwich.'"

Thereupon,

Mr. Hubbard brought in said bill; which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

On motion of Mr. Boughton,

*Resolved*, That the expenses of the funeral of the Hon. Moses Hayden, late a member of the Senate, be audited by the committee of arrangements, and certified by the chairman, and paid by the clerk of the Senate, out of the contingent fund of the Senate.

Mr. Sanford asked for and obtained leave of absence for three weeks.

On motion of Mr. Maynard,

*Resolved*, That the Canal Board report to the Senate, a particular statement of the expenditures by the superintendents employed on the Erie and Champlain canals during the last year, specifying the number of superintendents, and the compensation for services allowed to each, and specifying also the objects and items of expendi-

ture by each superintendent; and also state whether, in their opinion, an expenditure equally large, for similar purposes, will be required for the present year.

Mr. President put the question on the final passage of the engrossed bill entitled "An act to incorporate the president, directors and company of the Putnam County Bank," and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Gere    | Mr. Schenck   |
| Mr. Armstrong | Mr. Mather  | Mr. Sherman   |
| Mr. Beardsley | Mr. Maynard | Mr. Tallmadge |
| Mr. Benton    | Mr. McCarty | Mr. Throop    |
| Mr. Bronson   | Mr. Oliver  | Mr. Todd      |
| Mr. Conklin   | Mr. Porter  | Mr. Warren    |
| Mr. Deitz     | Mr. Rexford | Mr. Woodward  |
| Mr. Eaton     | Mr. Sanford |               |

23

FOR THE NEGATIVE.

|              |             |              |
|--------------|-------------|--------------|
| Mr. Boughton | Mr. Hubbard | Mr. Waterman |
| Mr. Enos     |             |              |

4

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

Mr. Tracy, from the committee on enrolled bills, reported three bills as correctly engrossed, of the following titles, to wit:

"An act relative to the court of general sessions of the county of Erie:"

"An act for the relief of the Bank for Savings in the city of New-York:"

"An act directing the mode in which the expenses for furnishing certain standard weights and measures are to be defrayed."

Thereupon,

The said engrossed bill, entitled "An act relative to the court of general sessions of the county of Erie," was read the third time, and passed.

The said engrossed bill, entitled "An act for the relief of the Bank for Savings in the city of New-York," was read the third time, and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Enos    | Mr. Sanford   |
| Mr. Armstrong | Mr. Gere    | Mr. Schenck   |
| Mr. Beardsley | Mr. Hubbard | Mr. Sherman   |
| Mr. Benton    | Mr. Mather  | Mr. Tallmadge |
| Mr. Boughton  | Mr. Maynard | Mr. Throop    |
| Mr. Bronson   | Mr. McCarty | Mr. Todd      |
| Mr. Conklin   | Mr. Oliver  | Mr. Warren    |
| Mr. Deitz     | Mr. Porter  | Mr. Waterman  |
| Mr. Eaton     | Mr. Rexford | Mr. Woodward  |

27

The said engrossed bill, entitled "An act directing the mode in which the expenses for furnishing certain standard weights and measures are to be defrayed," was read the third time, and passed.

*Ordered*, That the clerk deliver said several bills to the Assembly, and request their concurrence to the same.

Mr. President put the question on the final passage of the bill from the Assembly, entitled "An act for the relief of the president, directors and company of the Brooklyn, Jamaica and Flatbush turnpike company," and it was decided in the affirmative; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Enos    | Mr. Sanford   |
| Mr. Armstrong | Mr. Gere    | Mr. Schenck   |
| Mr. Beardsley | Mr. Hubbard | Mr. Sherman   |
| Mr. Benton    | Mr. Mather  | Mr. Tallmadge |
| Mr. Boughton  | Mr. Maynard | Mr. Throop    |
| Mr. Bronson   | Mr. McCarty | Mr. Todd      |
| Mr. Conklin   | Mr. Oliver  | Mr. Warren    |
| Mr. Deitz     | Mr. Porter  | Mr. Waterman  |
| Mr. Eaton     | Mr. Rexford | Mr. Woodward  |

27

*Ordered*, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act regulating the passage of boats through the locks on the canals of this state;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Woodward, from the said committee, reported progress, and asked for and obtained leave to sit again.

After the consideration of executive business, the Senate adjourned until 11 o'clock to-morrow morning.

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**WEDNESDAY, 11 O'CLOCK, A. M.—MARCH 3, 1830.**

The Senate met pursuant to adjournment.

Mr. Maynard presented the remonstrance of sundry inhabitants of Utica, against abolishing the preference allowed to packet boats; which was read, and referred to the committee of the whole when on the bill upon that subject.

Mr. Maynard presented the petition of sundry inhabitants of the village of Utica, praying for the erection of a bridge over the Erie canal; which was read, and referred to the canal commissioners.

Mr. Boughton presented the remonstrance of sundry inhabitants of Lockport, against the repeal of the law giving precedence to packet boats at the locks on the canals; which was read, and referred to a committee of the whole when on the bill to which the subject relates.

Mr. Armstrong presented the remonstrance of sundry inhabitants of the town of Lyons, against the repeal of the law giving preference to packet boats; which was read, and referred to a committee of the whole when on the bill upon that subject.

Mr. Todd presented the petition of John Garrison, praying for a law to establish a ferry across the Hudson river in Philipstown in Putnam county; which was read, and referred to a select committee, consisting of the members attending the Senate from the second senate district.

Mr. Eaton presented two several petitions, of sundry inhabitants of the town of Windham, and of the Windham turnpike company, praying that said company may be allowed to abandon a part of their road, and that the same may be declared a public highway; which were read, and referred to the committee on roads and bridges.

Mr. McLean presented three several petitions of sundry inhabitants of the counties of Madison, Onondaga, Oneida, Cayuga, Cortland, Montgomery and Herkimer, in favor of the application of John B. Yates relative to the literary institution at Chittenango; and also the certificate of sundry persons relative to the village of Chittenango; which were severally read, and referred to a committee of the whole when on the bill to which the subject relates.

Mr. Throop presented the proceedings of the common council of the city of Albany, relative to the location of a female penitentiary; which was read, and referred to a committee of the whole when on the bill to which the subject relates.

Mr. Allen, from the committee on banks and insurance companies, reported, without amendment, the bill from the Assembly, entitled "An act to repeal certain sections of title second of the eighteenth chapter of the first part of the Revised Statutes;" which was committed a committee of the whole.

Mr. Enos, from the select committee on the following bills from the Assembly, reported the same severally without amendment, to wit:

"An act to amend an act entitled 'An act to incorporate the New-Hartford fire company,' passed April 22d, 1829:"

"An act authorising the appointment of an additional inspector of fish in the county of Jefferson:"

Which were committed to a committee of the whole.

A report was received from the Surveyor-General, on the petition of Andrew Phares; which was read, and, together with the petition, referred to the committee on claims.

[See Document No. 219.]

A report was received from the Superintendent of Common Schools, on the memorial of the directors of the Central asylum at Canajoharie, and relative to the New-York institution for the in-

struction of the deaf and dumb ; which was read, and so much thereof as relates to the memorial of the directors of the Central asylum at Canajoharie, was referred to the committee on literature.

*Ordered*, That double the usual number of copies of said report be printed.

[See Document No. 235.]

A bill was received from the Assembly for concurrence, entitled "An act to repeal a part of title second, article first of chapter third of the fourth part of the Revised Statutes ;" which was read the first time, and by unanimous consent was also read a second time, and referred to the select committee to which the communication of Samuel M. Hopkins was referred.

On motion of Mr. Maynard,

*Resolved*, That the commissioners of the land-office report to the Senate, the quantity of land belonging to each fund of this state which has been sold within the last five years, and the product in the aggregate of such sales. Also, whether there is a probability of any considerable depreciation in the value of those lands, or of the lands belonging to either of those funds ; or whether said lands, or any of them, are liable to a diminution in value, from depredations upon them, or from any other cause. Also, whether in their opinion it would be useful, if practicable, to sell all said lands in the aggregate, those belonging to each fund by themselves, or in large portions, with a view to effect the sale of the whole. And in case of such sale whether there are any lands which the interest of those funds respectively, require should not be sold.

On motion of Mr. Benton,

*Resolved*, That the comptroller be directed to report to the Senate a statement of the amount of monies paid to the special counsel, under the act passed April 15, 1828, and the act to continue the same, passed April 6th, 1829, designating the amount paid to each counsel or person appointed under said acts : and also a copy of the accounts and vouchers exhibited, and on which said monies were paid.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act regulating the passage of boats through the locks on the canals belonging to this state ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Woodward, from the said committee, reported progress, and asked for and obtained leave to sit again.

*Ordered*, That said committee do not have leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising the survey of the Susquehannah and Chemung rivers, and for other purposes ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Woodward, from the said committee, reported the same without amendment, which report was agreed to by the

[SENATE JOURNAL.]

T

Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

Then the Senate adjourned until 11 o'clock to-morrow morning.

**THURSDAY, 11 O'CLOCK, A. M.—MARCH 4, 1830.**

The Senate met pursuant to adjournment.

Mr. McLean presented the petition of the commissioners of the Whitehall bank, praying for a law extending the time prescribed for commencing actual operations and reducing the capital stock, which was read, and referred to the committee on banks and insurance companies.

Mr. Mather presented the petition of the court of common pleas of Onondaga county, praying for an alteration in the terms of said court, which was read, and referred to a select committee, consisting of Mr. Mather, Mr. Armstrong and Mr. Throop.

Mr. Woodward presented the petition of Nathaniel Sands and others, praying for the appointment of three commissioners, to alter the route of the New-Windsor and Cornwall turnpike road, which was read, and referred to a select committee, consisting of the members attending the Senate from the second senate district.

Mr. Tallmadge presented two several remonstrances of the Schoharie kill bridge company, and of sundry inhabitants of Durham, Greene county, against the petition of the Windham and Durham turnpike company, for an alteration of their charter, which were read, and referred to the committee on roads and bridges.

Mr. Enos, from the committee on Indian affairs, reported, without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act for the relief of the Stockbridge Indians,' passed February 18, 1823;" which was committed to a committee of the whole.

Mr. McLean, from the committee on literature, reported without amendment, the bill from the Assembly, entitled "An act concerning the map and atlas of the state," which was committed to a committee of the whole.

Mr. Hubbard, from the committee on claims, on the petition of Andrew Phares, and the report of the Surveyor-General on the same, reported against the prayer of the petition.

Thereupon,

*Resolved*, That the petitioner have leave to withdraw his petition.

Mr. Bronson, from the select committee on the bill from the Assembly entitled "An act to repeal a part of title second, article first, of chapter third, of the fourth part of the Revised Statutes," reported the same without amendment, which was committed to a committee of the whole.

The bill entitled "An act relative to the gospel and school lots in the county of St. Lawrence," was received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined :

*Ordered*, That the clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to extend for a limited period the charter of the Rensselaer bridge company ;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the third senate district.

A bill was received from the Assembly for concurrence, entitled "An act explanatory of so much of the act entitled 'An act to reduce the law incorporating the village of Brooklyn, and the several acts amendatory thereof, into one act, and to amend the same, as relates to the municipal courts in the said village, and for other purposes,' passed April 3d, 1827," which was read the first time, and by unanimous consent, was also read a second time, and referred to a select committee consisting of the members attending the Senate from the first senate district.

Mr. McCarty asked for and obtained leave of absence for Mr. Warren, for eight days.

Mr. Mather, from the committee on enrolled bills, reported the bill entitled "An act to incorporate the Canajoharie and Catskill rail-road company," as correctly engrossed.

Thereupon,

The said engrossed bill was read the third time, and passed ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

#### FOR THE AFFIRMATIVE.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Enos    | Mr. Rexford   |
| Mr. Armstrong | Mr. Gere    | Mr. Schenck   |
| Mr. Beardsley | Mr. Hubbard | Mr. Sherman   |
| Mr. Benton    | Mr. Mather  | Mr. Tallmadge |
| Mr. Boughton  | Mr. Maynard | Mr. Throop    |
| Mr. Bronson   | Mr. McCarty | Mr. Todd      |
| Mr. Conklin   | Mr. McLean  | Mr. Waterman  |
| Mr. Deitz     | Mr. Oliver  | Mr. Woodward  |
| Mr. Eaton     | Mr. Porter  |               |

26

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly entitled "An act authorising the survey of the Susquehannah and Chemung rivers, and for other purposes," with the engrossed amendment, was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, with the amendment therewith delivered.



Mr. President put the question on the final passage of the bill from the Assembly, entitled "An act for the relief of Alida Vrooman and others," and it was decided in the affirmative; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | • Mr. Enos  | Mr. Rexford   |
| Mr. Armstrong | Mr. Gere    | Mr. Schenck   |
| Mr. Beardsley | Mr. Hubbard | Mr. Sherman   |
| Mr. Benton    | Mr. Mather  | Mr. Tallmadge |
| Mr. Boughton  | Mr. Maynard | Mr. Throop    |
| Mr. Bronson   | Mr. McCarty | Mr. Todd      |
| Mr. Conklin   | Mr. McLean  | Mr. Waterman  |
| Mr. Deitz     | Mr. Oliver  | Mr. Woodward  |
| Mr. Eaton     | Mr. Porter  |               |

26

*Ordered*, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again resolved itself into a committee of the whole on the bill entitled "An act to incorporate the Jefferson cotton mills;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Waterman, from said committee, reported progress.

Thereupon,

*Ordered*, That the committee of the whole be discharged from the further consideration of said bill, and that it be referred to the committee on the judiciary.

The Senate then again resolved itself into a committee of the whole on the bill entitled "An act authorising John E. Hinman and Henry W. Schroepel to erect and maintain a dam across the Oneida river;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported the same with an amendment; which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate Manhattan College;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Eaton, from the said committee, reported progress, and asked for and obtained leave to sit again.

*Ordered*, That said bill be printed.

The Senate then again resolved itself into a committee of the whole on the bill from the Assembly entitled "An act for the relief of Perkins Nichols;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported the same with amendments, which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate a second company to supply the city of Albany with water;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Allen, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to provide for the deficiency in the revenue of the general fund;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the relief of Charlotte Sewell and others;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the New-York life insurance and trust company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. McLean, from the said committee, reported the same with amendments; which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act further to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Waterford,' passed 6th April, 1801;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Boughton, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

Then the Senate adjourned until 11 o'clock to-morrow morning.

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**FRIDAY, 11 O'CLOCK, A. M.—MARCH 5, 1830.**

The Senate met pursuant to adjournment.

Mr. Tallmadge presented the memorial of the trustees of the college of physicians and surgeons, in the city of New-York, remonstrating against the establishment of a second medical college in that city, which was read and referred to a committee of the whole, when on the bill to which the subject relates; and ordered to be printed.

[See Document No. 241.]

Mr. Benton presented two several remonstrances of the trustees of the Albany water works company, and of Stephen Van Rensselaer, against the passage of the bill to incorporate a second company to supply the city of Albany with water, which were read and referred to a committee of the whole when on the bill to which the subject relates.

Mr. McLean presented the petition of D. H. Alden, praying for a law giving him compensation for injury sustained by the Champlain canal, which was read and referred to the committee on canals.

Mr. Benton, from the committee on the judiciary, reported, with amendments, the bill entitled "An act to incorporate the Jefferson cotton mills;" which was committed to a committee of the whole.

Mr. Benton, from the same committee, on the petition of sundry aliens, reported a bill entitled "An act to enable resident aliens to hold and convey real estate;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole, and ordered to be printed.

Mr. McCarty, from the select committee, to which was referred the bill from the Assembly, entitled "An act to extend for a limited period the charter of the Rensselaer bridge company," reported as follows, to wit:

That they have examined the same, together with the accompanying documents, and the report of the appropriate committee of the Assembly, in which is substantially set forth the merits of the application. (*See report.*) This is sustained by the abstract of receipts and expenditures, and statements of Thomas Hoag and Isaac Mills, showing that 6000 dollars was expended, and that less than 5 per cent has been received by said company. The remonstrance of the Rensselaer and Columbia turnpike company, setting forth that they are willing to take the road and bridge and support the same free of toll or expense to the public, is answered by the certificate of the supervisor, town clerk and commissioner of highways of the town of Nassau. In view of the whole matter the committee recommend the passage of the bill.

*Ordered,* That said bill and report be committed to a committee of the whole.

The bill entitled "An act authorising the survey of the Susquehannah and Chemung rivers, and for other purposes," was received from the Assembly, with a message that they had concurred in the amendment of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined:

*Ordered,* That the clerk return the same to the Assembly.

Two bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to incorporate the president, directors and company of the Hudson river bank:"

"An act to incorporate the president, directors and company of the Saratoga county bank:"

Which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act to enable Wilhem Willink and others to purchase and hold certain real estate therein mentioned ;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Woodward,

*Resolved*, That the committee on banks and insurance companies be instructed to report a detailed statement of facts, and their opinion thereon, on all applications for bank incorporations.

Mr. Mather, from the committee on enrolled bills, reported the bill entitled "An act authorising John E. Hinman and Henry W. Schreppel to erect and maintain a dam across the Oneida river," as correctly engrossed.

Thereupon,

The said engrossed bill was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly entitled "An act for the relief of Perkins Nichols," with the engrossed amendments, was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act for the relief of Charlotte Sewall and others," was read the third time and passed ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

#### FOR THE AFFIRMATIVE.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Enos    | Mr. Porter    |
| Mr. Armstrong | Mr. Gere    | Mr. Sherman   |
| Mr. Beardsley | Mr. Hubbard | Mr. Tallmadge |
| Mr. Benton    | Mr. Mather  | Mr. Throop    |
| Mr. Bronson   | Mr. Maynard | Mr. Todd      |
| Mr. Conklin   | Mr. McCarty | Mr. Waterman  |
| Mr. Deitz     | Mr. McLean  | Mr. Woodward  |
| Mr. Eaton     | Mr. Oliver  |               |

23

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act further to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Waterford,' passed 6th April 1801," was read the third time, and the question on its final passage ordered to be laid on the table.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Jefferson cotton mills," and after some time spent thereon, Mr. President resumed the chair, and Mr. Waterman, from the said committee, re-

ported the same with amendments, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to amend the act entitled 'An act to incorporate the village of Norwich;'" and after some time spent thereon Mr. President resumed the chair, and Mr. Mather, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to authorise the sale of the school lot in the village of Oswego;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Eaton, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to repeal certain sections of title second of the eighteenth chapter of the first part of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the New-Hartford fire company,' passed April 22, 1829," and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising the appointment of an additional inspector of fish in the county of Jefferson;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Deitz, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend an act entitled 'An act for the relief of the Stockbridge Indians,' passed February 18, 1823," and after some time spent thereon, Mr. President resumed the chair, and Mr. Conklin, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act concerning the map and Atlas of the state;" and after some time spent thereon Mr. President resumed the chair, and Mr. Benton, from the said committee, reported the same with amendments.

*Ordered*, That said report be laid on the table.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to repeal a part of ti-

the second, article first, of chapter third, of the fourth part of the Revised Statutes ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to extend for a limited period the charter of the Rensselaer bridge company ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported the same without amendment ; which was agreed to by the Senate, and the bill ordered to a third reading.

Then the Senate adjourned until 11 o'clock to-morrow morning.

**SATURDAY, 11 O'CLOCK, A. M.—MARCH 6, 1830.**

The Senate met pursuant to adjournment.

Mr. Benton, from the committee on the judiciary, reported without amendment, two bills from the Assembly, of the following titles, to wit :

"An act to repeal sections fifty-four and fifty-five of the third article, of the second title, of the first chapter, of the third part of the Revised Statutes :"

"An act to enable Wilhem Willink and others to purchase and hold certain real estate therein mentioned :"

Which were committed to a committee of the whole.

Mr. Conklin, from the select committee on the bill from the Assembly, entitled "An act explanatory of so much of the act entitled 'An act to reduce the law incorporating the village of Brooklyn, and the several acts amendatory thereof, into one act, and to amend the same, as relates to the municipal courts in said village, and for other purposes,' passed April 3, 1827," reported the same without amendment, which was committed to a committee of the whole.

A report was received from the canal board, relative to the expenditures by the superintendents employed on the Erie and Champlain canals, during the last year, which was read and ordered to be laid on the table.

[See Document No. 243.]

Two bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act to incorporate the president, directors and company of the Mechanics' bank of Buffalo :"

"An act to incorporate the president, directors and company of Livingston county Bank :"

[SENATE JOURNAL.]

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Which were severally read the first time, and by unanimous consent were also read the second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act to increase the number of the guard at the Mount-Pleasant state prison," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on state prisons.

On motion of Mr. Maynard,

*Ordered*, That the bill from the Assembly, entitled "An act concerning the map and atlas of the state," be recommitted to a committee of the whole.

On motion of Mr. Armstrong,

*Ordered*, That the committee on roads and bridges be discharged from the further consideration of the petition of the Windham and Durham turnpike company, and the remonstrances against the same, and that they be referred to a select committee, consisting of the members attending the Senate from the third senate district.

Mr. Boughton, pursuant to previous notice, asked for and obtained leave to bring in a bill entitled "An act relative to 'An act to incorporate the village of Lockport,' passed March 26, 1829."

Thereupon,

Mr. Boughton brought in said bill, which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Mather, from the committee on enrolled bills, reported three bills as correctly engrossed, of the following titles, to wit :

"An act to authorise a sale of the school lot in the village of Oswego :"

"An act to incorporate the Jefferson cotton mills :"

"An act to amend the act entitled 'An act to incorporate the village of Norwich.'"

Thereupon,

The said engrossed bill entitled "An act to authorise a sale of the school lot in the village of Oswego," was read the third time and passed.

The said engrossed bill entitled "An act to incorporate the Jefferson cotton mills," was read the third time and passed ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

#### FOR THE AFFIRMATIVE.

Mr. Allen  
Mr. Armstrong  
Mr. Beardsley  
Mr. Benton  
Mr. Boughton  
Mr. Bronson  
Mr. Conklin  
Mr. Deitz  
Mr. Eaton

Mr. Enos  
Mr. Gere  
Mr. Hubbard  
Mr. Mather  
Mr. Maynard  
Mr. McLean  
Mr. Oliver  
Mr. Rexford

Mr. Schenck  
Mr. Sherman  
Mr. Tallmadge  
Mr. Throop  
Mr. Todd  
Mr. Tracy  
Mr. Waterman  
Mr. Woodward

**Ordered,** That the clerk deliver said several bills to the Assembly, and request their concurrence to the same.

The said engrossed bill entitled "An act to amend the act entitled 'An act to incorporate the village of Norwich,'" was read the third time, and the question on its final passage ordered to be laid on the table.

The bill from the Assembly entitled "An act to repeal certain sections of title second, of the eighteenth chapter, of the first part of the Revised Statutes," was read the third time, and passed.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the New-Hartford fire company,' passed April 22, 1829," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Enos    | Mr. Schenck   |
| Mr. Armstrong | Mr. Gere    | Mr. Sherman   |
| Mr. Beardsley | Mr. Hubbard | Mr. Tallmadge |
| Mr. Benton    | Mr. Mather  | Mr. Throop    |
| Mr. Boughton  | Mr. Maynard | Mr. Todd      |
| Mr. Bronson   | Mr. McLean  | Mr. Tracy     |
| Mr. Conklin   | Mr. Oliver  | Mr. Waterman  |
| Mr. Deitz     | Mr. Rexford | Mr. Woodward  |
| Mr. Eaton     |             |               |

25

The bill from the Assembly, entitled "An act to extend for a limited period the charter of the Ransselaer bridge company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Enos        | Mr. Schenck   |
| Mr. Armstrong | Mr. Gere    | Mr. Sherman   |
| Mr. Beardsley | Mr. Hubbard | Mr. Tallmadge |
| Mr. Benton    | Mr. Mather  | Mr. Throop    |
| Mr. Boughton  | Mr. Maynard | Mr. Todd      |
| Mr. Bronson   | Mr. McLean  | Mr. Tracy     |
| Mr. Conklin   | Mr. Oliver  | Mr. Waterman  |
| Mr. Deitz     | Mr. Rexford | Mr. Woodward  |
| Mr. Eaton     |             |               |

25

The bill from the Assembly, entitled "An act authorising the appointment of an additional inspector of fish in the county of Jefferson," was read the third time, and passed.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act for the relief of the Stockbridge Indians,' passed February 18th, 1823," was read the third time, and passed.



Mr. President put the question on the final passage of the bill from the Assembly, entitled "An act further to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Waterford,' passed 6th April, 1801," and it was decided in the affirmative; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Enos    | Mr. Schenck   |
| Mr. Armstrong | Mr. Gere    | Mr. Tallmadge |
| Mr. Beardsley | Mr. Hubbard | Mr. Throop    |
| Mr. Benton    | Mr. Maynard | Mr. Todd      |
| Mr. Boughton  | Mr. McLean  | Mr. Tracy     |
| Mr. Conklin   | Mr. Oliver  | Mr. Waterman  |
| Mr. Deitz     | Mr. Rexford | Mr. Woodward  |
| Mr. Eaton     |             |               |

22

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same severally, without amendment.

The bill from the Assembly, entitled "An act to incorporate the New-York life insurance and trust company," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Enos    | Mr. Schenck   |
| Mr. Armstrong | Mr. Gere    | Mr. Sherman   |
| Mr. Beardsley | Mr. Hubbard | Mr. Tallmadge |
| Mr. Benton    | Mr. Mather  | Mr. Throop    |
| Mr. Boughton  | Mr. Maynard | Mr. Todd      |
| Mr. Bronson   | Mr. McLean  | Mr. Tracy     |
| Mr. Conklin   | Mr. Oliver  | Mr. Waterman  |
| Mr. Deitz     | Mr. Rexford | Mr. Woodward  |
| Mr. Eaton     |             |               |

25

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act concerning the map and atlas of the state;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported the same with amendments.

*Ordered*, That said report be laid on the table.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act explanatory of so much of the act entitled 'An act to reduce the law incorporating the

village of Brooklyn, and the several acts amendatory thereof, into one act, and to amend the same, as relates to the municipal courts in the said village, and for other purposes,' passed April 3, 1827," and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported the same without amendment.

Thereupon,

Mr. Benton made a motion to amend said report, by striking out the second section thereof, in the words following, to wit :

" But the said sheriff or jailor shall not be liable to any penalty, suit or recovery for, or by reason of not having discharged, (before the passing of this act,) any person committed to the said jail, in the cases mentioned and referred to in the preceding section."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit :

**FOR THE NEGATIVE.**

|               |             |               |    |
|---------------|-------------|---------------|----|
| Mr. Allen     | Mr. Enos    | Mr. Schenck   |    |
| Mr. Armstrong | Mr. Gere    | Mr. Sherman   |    |
| Mr. Beardsley | Mr. Mather  | Mr. Tallmadge |    |
| Mr. Boughton  | Mr. McLean  | Mr. Throop    |    |
| Mr. Conklin   | Mr. Oliver  | Mr. Tracy     |    |
| Mr. Deitz     | Mr. Rexford | Mr. Waterman  | 18 |

**FOR THE AFFIRMATIVE.**

|             |             |              |   |
|-------------|-------------|--------------|---|
| Mr. Benton  | Mr. Maynard | Mr. Todd     |   |
| Mr. Bronson | Mr. Porter  | Mr. Woodward |   |
| Mr. Hubbard |             |              | 7 |

Thereupon,

The Senate agreed to the report of the committee of the whole ; and the bill was ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled " An act relative to ' An act to incorporate the village of Lockport,' passed March 26, 1829 ;" and after some time spent thereon Mr. President resumed the chair, and Mr. Mather, from the said committee, reported the same without amendment ; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled " An act to enable Wilhem Willink and others to purchase and hold certain real estate therein mentioned ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tracy, from the said committee, reported the same without amendment ; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act directing the survey of a canal route from Rome to the High Falls of the Black river;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported the same with an amendment; which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Then the Senate adjourned until 11 o'clock on Monday morning next.

---

**MONDAY, 11 O'CLOCK, A. M.—MARCH 8, 1830.**

The Senate met pursuant to adjournment.

Mr. Bronson presented the petition of the commissioners appointed to assess a tax on the village of Sackett's Harbor, and certain mill sites, for the purpose of supplying the western part of the county of Jefferson with mill privileges, praying for an extension of time for making out and filing said assessment, and for filling a vacancy in said commission, which was read, and referred to a select committee, consisting of the members attending the Senate from the fifth senate district.

Mr. Benton presented the petition of Solomon Diefendorff, praying for remuneration for lands sold to him by the state, which are deficient in quantity; which was read, and referred to the committee on claims.

Mr. Benton from the committee on the judiciary, to which was referred, by a resolution of the Senate of the 29th of January, 1830, the communication of the Surveyor-General, made to the Senate on the 2d of April, 1829, relative to the claim of this state to a portion of Coxe's patent, in consequence of the attainder of John Taber Kempe, made a report on that subject, and brought in a bill entitled "An act relative to Coxe's patent, in the counties of Tioga and Broome;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

[See Document No. 245.]

Mr. Throop, from the committee on state prisons, reported without amendment, the bill from the Assembly, entitled "An act to increase the number of the guard at the Mount-Pleasant state prison," which was committed to a committee of the whole.

Mr. Woodward, from the select committee, to which was referred the petition of the New-Windsor and Cornwall turnpike road company, reported as follows, to wit:

That they have examined the subject submitted to them, and find the facts to be, that a number of years since, the New-Windsor and Cornwall turnpike road was laid out on the old plan of having a straight road, without regard to hills; that the present is very uneven; that by a few alterations these hills may be avoided, without increasing the distance but trifling. The committee are informed that the owners of the land on which alterations are to be made, are willing and anxious that it should be done. The company have agreed to make the alterations, and pray that an act may be passed for that purpose. The committee think the prayer reasonable, and have prepared a bill for that purpose, which they ask leave to introduce.

Thereupon,

Mr. Woodward, by leave, brought in said bill, entitled "An act relative to the New-Windsor and Cornwall turnpike road company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Eaton, from the select committee, to whom was referred the petitions of the Windham and Durham turnpike company, and inhabitants of the town of Windham, to abandon a part of their turnpike road, and have it declared a public highway, reported as follows, to wit:

That they have considered the subject, and find no objection or opposition to that part of the application which proposes to abandon the road lying in Windham, as the inhabitants of the town have petitioned for it, and are willing that part which is in the town of Durham should continue by reducing the toll one half; and have prepared a bill, and ask leave to introduce the same.

Thereupon,

Mr. Eaton, by leave, brought in said bill, entitled "An act to amend an act entitled 'An act to incorporate the Windham and Durham turnpike road company;'" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Waterman moved a resolution in the words following, to wit:

*Resolved*, That the committee on the judiciary inquire whether the eighth section of the act entitled "An act relative to the purchase of part of the reservations belonging to the Christian and Pagan parties of the Oneida nation of Indians, and for other purposes, passed March 24, 1809," has expired by its own limitation, and if so, whether it is expedient to have further legislation on the subject embraced in that section; and that said committee report thereon to the Senate.

*Ordered*, That said resolution be laid on the table.

The Senate then took up the consideration of the report of the committee of the whole on the bill from the Assembly, entitled "An act concerning the map and atlas of the state."

After amending said report, the second section thereof was again read in the words following, to wit:

"The Acting Governor is hereby authorised to transmit to the office of Secretary of State of the United States, a superior bound copy of said map and atlas, and to each of the Governors of the states

in the Union, not mentioned in the first section of this act, for the use of their respective states, a copy of the said map and atlas of this state, out of the number to be furnished by the said David H. Burr, in pursuance of the act entitled 'An act to provide for the publication of a map and atlas of this state,' passed October 17, 1827."

Mr. Todd made a motion to amend said report by striking out of said section in the fifth line thereof, the words "and atlas."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit :

**FOR THE NEGATIVE.**

|             |               |              |    |
|-------------|---------------|--------------|----|
| Mr. Allen   | Mr. Porter    | Mr. Tracy    |    |
| Mr. Bronson | Mr. Sherman   | Mr. Waterman |    |
| Mr. McLean  | Mr. Tallmadge | Mr. Woodward |    |
| Mr. Oliver  | Mr. Throop    |              | 11 |

**FOR THE AFFIRMATIVE.**

|             |             |             |    |
|-------------|-------------|-------------|----|
| Mr. Benton  | Mr. Gere    | Mr. Schenck |    |
| Mr. Conklin | Mr. Mather  | Mr. Todd    |    |
| Mr. Deitz   | Mr. Rexford | Mr. Wheeler |    |
| Mr. Enos    |             |             | 10 |

Thereupon,

The Senate agreed to the report of the committee of the whole as amended, and the amendments were ordered to be engrossed, and the bill to a third reading.

Mr. Gere gave notice, that on some future day he would ask leave to bring in a bill for the appointment of a supreme court commissioner, to reside at the village of Ballston Spa or Saratoga Springs, in the county of Saratoga, with the additional powers of a judge of the court of common pleas of said county, of the degree of counsellor at law in the supreme court, at chambers.

Mr. Throop asked for and obtained leave of absence for Mr. Beardsley for six days.

Mr. Mather, from the committee on enrolled bills, reported two bills as correctly engrossed, of the following titles, to wit :

"An act relative to 'An act to incorporate the village of Lockport,' passed March 26, 1829."

"An act directing the survey of a canal route from Rome to the High Falls of the Black river."

Thereupon,

The said engrossed bill entitled "An act relative to 'An act to incorporate the village of Lockport,' passed March 26, 1829," was read the third time, and the question on its final passage ordered to be laid on the table.

The said engrossed bill entitled "An act directing the survey of a canal route from Rome to the High Falls of the Black river," was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly entitled "An act to enable Wilhem Willink and others to purchase and hold certain real estate therein mentioned," with the engrossed amendment, was read the third time, and passed.

The bill from the Assembly entitled "An act explanatory of so much of the act entitled 'An act to reduce the law incorporating the village of Brooklyn, and the several acts amendatory thereof, into one act, and to amend the same, as relates to the municipal courts in the said village, and for other purposes,' passed April 3, 1827," with the engrossed amendment, was read the third time, and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Gere    | Mr. Tallmadge |
| Mr. Armstrong | Mr. Mather  | Mr. Throop    |
| Mr. Benton    | Mr. Maynard | Mr. Todd      |
| Mr. Bronson   | Mr. McLean  | Mr. Tracy     |
| Mr. Conklin   | Mr. Oliver  | Mr. Waterman  |
| Mr. Deitz     | Mr. Porter  | Mr. Wheeler   |
| Mr. Eaton     | Mr. Schenck | Mr. Woodward  |
| Mr. Enos      | Mr. Sherman |               |

23

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same severally, with the amendments therewith delivered.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of the occupants of the Stockbridge and Cowassalone tracts of land;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Porter, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Phoenix bridge company;" and after some time spent thereon Mr. President resumed the chair, and Mr. Eaton, from the said committee, reported progress.

*Ordered*, That the committee of the whole be discharged from the further consideration of said bill, and that the same be referred to the committee on roads and bridges.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to incorporate a second company to supply the city of Albany with water;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Allen, from the said committee, reported the same with amendments; which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to enable resident aliens to hold and convey real estate;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to repeal sections fifty-four and fifty-five, of the third article, of the second title, of the first chapter, of the third part of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Armstrong, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to increase the number of the guard at the Mount-Pleasant state prison;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Enos, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

Then the Senate adjourned until 11 o'clock to-morrow morning.

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**TUESDAY, 11 O'CLOCK, A. M.—MARCH 9, 1830.**

The Senate met pursuant to adjournment.

Mr. Maynard presented the memorial of Samuel M. Hopkins, relative to his accounts, which was read, and referred to the select committee of which Mr. Benson is chairman.

Mr. Enos presented two several petitions of sundry inhabitants of the counties of Oneida and Madison, praying for the appointment of commissioners to lay out a road from Sherburne, in the county of Chenango, to Utica, which were severally read, and referred to a select committee, consisting of the members attending the Senate from the fifth senate district.

Mr. Enos, from the select committee, on the petition of the commissioners appointed to assess a certain tax on the village of Sacket's Harbor, reported, that the committee had prepared a bill, entitled "An act to appoint a commissioner under the acts for the diversion of the surplus waters of Black river, and to extend the time for levying and collecting the tax for that object;" which, by leave, was brought in, read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Mather, from the committee on enrolled bills, reported two bills as correctly engrossed, of the following titles, to wit:

"An act to incorporate a second company to supply the city of Albany with water.:"

"An act to enable resident aliens to hold and convey real estate :"

Thereupon,

The said engrossed bill entitled "An act to enable resident aliens to hold and convey real estate," was read the third time and passed.

The said engrossed bill entitled "An act to incorporate a second company to supply the city of Albany with water ;" was read the third time and passed ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

**FOR THE AFFIRMATIVE.**

|               |             |               |    |
|---------------|-------------|---------------|----|
| Mr. Allen     | Mr. Enos    | Mr. Sherman   |    |
| Mr. Armstrong | Mr. Gere    | Mr. Tallmadge |    |
| Mr. Benton    | Mr. Mather  | Mr. Throop    |    |
| Mr. Boughton  | Mr. Maynard | Mr. Todd      |    |
| Mr. Bronson   | Mr. McLean  | Mr. Tracy     |    |
| Mr. Conklin   | Mr. Oliver  | Mr. Waterman  |    |
| Mr. Deitz     | Mr. Porter  | Mr. Wheeler   |    |
| Mr. Eaton     | Mr. Schenck | Mr. Woodward  | 24 |

Mr. President put the question on the final passage of the engrossed bill, entitled "An act relative to an act to incorporate the village of Lockport, passed March 26, 1829," and it was decided in the affirmative ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

**FOR THE AFFIRMATIVE.**

|               |             |               |    |
|---------------|-------------|---------------|----|
| Mr. Allen     | Mr. Gere    | Mr. Sherman   |    |
| Mr. Armstrong | Mr. Mather  | Mr. Tallmadge |    |
| Mr. Benton    | Mr. Maynard | Mr. Throop    |    |
| Mr. Boughton  | Mr. McLean  | Mr. Todd      |    |
| Mr. Bronson   | Mr. Oliver  | Mr. Tracy     |    |
| Mr. Conklin   | Mr. Porter  | Mr. Waterman  |    |
| Mr. Deitz     | Mr. Rexford | Mr. Wheeler   |    |
| Mr. Eaton     | Mr. Schenck | Mr. Woodward  |    |
| Mr. Enos      |             |               | 25 |

*Ordered*, That the clerk deliver said several bills to the Assembly, and request their concurrence to the same.

The bill from the Assembly entitled "An act concerning the map and atlas of the state," with the engrossed amendments, was read the third time and passed.

The yeas and nays being moved and seconded, were as follows, to wit :



## FOR THE AFFIRMATIVE.

|               |               |              |
|---------------|---------------|--------------|
| Mr. Allen     | Mr. McLean    | Mr. Throop   |
| Mr. Armstrong | Mr. Oliver    | Mr. Tracy    |
| Mr. Boughton  | Mr. Porter    | Mr. Waterman |
| Mr. Bronson   | Mr. Tallmadge | Mr. Woodward |
| Mr. Maynard   |               |              |

13

## FOR THE NEGATIVE.

|             |             |             |
|-------------|-------------|-------------|
| Mr. Benton  | Mr. Enos    | Mr. Schenck |
| Mr. Conklin | Mr. Gere    | Mr. Todd    |
| Mr. Deitz   | Mr. Mather  | Mr. Wheeler |
| Mr. Eaton   | Mr. Rexford |             |

11

*Ordered*, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act to repeal sections fifty-four and fifty-five, of the third article, of the second title, of the first chapter, of the third part of the Revised Statutes," was read the third time and passed.

The bill from the Assembly, entitled "An act to increase the number of the guard at the Mount-Pleasant state prison," was read the third time, and passed.

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same, severally, without amendment.

Mr. Gere, pursuant to previous notice, asked for and obtained leave to bring in a bill, entitled "An act authorising the appointment of a supreme court commissioner to reside at the village of Ballston Spa, or Saratoga Springs, in the county of Saratoga."

Thereupon,

Mr. Gere brought in said bill, which was read the first time and by unanimous consent was also read the second time, and committed to a committee of the whole.

The bill entitled "An act to incorporate the New-York life insurance and trust company," was received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

*Ordered*, That the clerk return the same to the Assembly.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act relative to the New-Windsor and Cornwall turnpike road company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Waterman, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to amend an act entitled 'An act to incor-

porate the Windham and Durham turnpike road company ;” and after some time spent thereon, Mr. President resumed the chair, and Mr. Bronson, from the said committee, reported the same with amendments, which report was agreed to by the Senate, and the bill ordered to be engrossed, for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled “ An act to reduce the parades and rendezvous of the militia, and to amend the provisions of chapter ten, part first, of the Revised Statutes, so far as to conform them to this act ;” and after some time spent thereon, Mr. President resumed the chair, and Mr. Maynard, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled “ An act authorising the appointment of a supreme court commissioner to reside at the village of Ballston Spa, or Saratoga Springs, in the county of Saratoga ;” and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported the same without amendment ; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The bill entitled “ An act to enable Wilhem Willink and others to purchase and hold certain real estate therein mentioned,” was received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

*Ordered*, That the clerk return the same to the Assembly.

After the consideration of executive business, the Senate adjourned until 11 o'clock to-morrow morning.

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**WEDNESDAY, 11 O'CLOCK, A. M.—MARCH 10, 1830.**

The Senate met pursuant to adjournment.

Mr. Enos, presented the remonstrance of sundry inhabitants of Sacket's Harbor, against reviving the law relative to the surplus waters of Black river, which was read, and referred to the committee of the whole when on the bill to which the subject relates.

Mr. Armstrong, from the committee on roads and bridges, on the petition of sundry inhabitants of Sodus, Wayne county, reported a bill entitled “ An act authorising an additional amount of money to be raised by tax for roads and bridges in the town of Sodus ;” which was read the first time, and by unanimous consent was also read a second time, and referred to a committee of the whole.

Mr. Todd, from the select committee, on the petition of John Garrison, reported, that the committee had prepared a bill entitled “ An act for continuing and regulating a ferry across the North river,

in the town of Phillips, in Putnam county ;" which, by leave, was brought in, read the first time, and by unanimous consent was also read a second a second time, and committed to a committee of the whole.

Mr. Enos, from the select committee, to which was referred the petitions of sundry inhabitants of the counties of Madison and Oneida, for a law appointing commissioners, and authorising them to lay out and alter the present road from Sherburne, in Chenango county, to Utica, made a favorable report on the same, and by leave, brought in a bill, entitled "An act to appoint commissioners to lay out a road from the village of Sherburne, in the county of Chenango, to Waterville and Utica, in the county of Oneida;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

[See Document No. 253.]

A report was received from the Comptroller, relative to the amount of monies paid to the special counsel under the act passed April 15, 1828, and the act to continue the same, passed April 6, 1829, which was read, and referred to the committee on the judiciary.

[See Document No. 254.]

A bill was received from the Assembly for concurrence, entitled "An act to amend the seventh title, of the fourteenth chapter, of the first part of the Revised Statutes;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Enos presented the memorial of the president and secretary of the Oneida county medical society, against the repeal of the law regulating the practice of physic, which was read and referred to the committee on the judiciary.

On motion of Mr. Throop,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to repeal a part of title second, article first, of chapter third, of the fourth part of the Revised Statutes," and that the same be referred to the select committee, of which Mr. Bronson is chairman.

Mr. Mather, from the committee on enrolled bills, reported three bills as correctly engrossed, of the following titles, to wit:

"An act authorising the appointment of a supreme court commissioner, to reside at the village of Ballston Spa, or Saratoga Springs, in the county of Saratoga:"

"An act to amend an act entitled 'An act to incorporate the Windham and Durham turnpike road company:'"

"An act relative to the New-Windsor and Cornwall turnpike road company."

Thereupon,

The said engrossed bill, entitled "An act authorising the appointment of a supreme court commissioner, to reside at the village of Ballston Spa, or Saratoga Springs, in the county of Saratoga," was read the third time and passed.

The said engrossed bill, entitled "An act to amend an act entitled 'An act to incorporate the Windham and Durham turnpike road company,'" was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |             |               |    |
|---------------|-------------|---------------|----|
| Mr. Allen     | Mr. Gere    | Mr. Sherman   |    |
| Mr. Armstrong | Mr. Hubbard | Mr. Tallmadge |    |
| Mr. Benton    | Mr. Mather  | Mr. Throop    |    |
| Mr. Boughton  | Mr. Maynard | Mr. Todd      |    |
| Mr. Conklin   | Mr. McCarty | Mr. Tracy     |    |
| Mr. Deitz     | Mr. Oliver  | Mr. Waterman  |    |
| Mr. Eaton     | Mr. Rexford | Mr. Wheeler   |    |
| Mr. Enos      | Mr. Schenck | Mr. Woodward  | 24 |

The said engrossed bill, entitled "An act relative to the New-Windsor and Cornwall turnpike road company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |             |               |    |
|---------------|-------------|---------------|----|
| Mr. Allen     | Mr. Gere    | Mr. Sherman   |    |
| Mr. Armstrong | Mr. Hubbard | Mr. Tallmadge |    |
| Mr. Benton    | Mr. Mather  | Mr. Throop    |    |
| Mr. Boughton  | Mr. Maynard | Mr. Todd      |    |
| Mr. Conklin   | Mr. McCarty | Mr. Tracy     |    |
| Mr. Deitz     | Mr. Oliver  | Mr. Waterman  |    |
| Mr. Eaton     | Mr. Rexford | Mr. Wheeler   |    |
| Mr. Enos      | Mr. Schenck | Mr. Woodward  | 24 |

*Ordered*, That the clerk deliver said several bills to the Assembly, and request their concurrence to the same.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to reduce the parades and rendezvous of the militia, and to amend the provisions of chapter ten, part first, of the Revised Statutes, so far as to conform them to this act;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Maynard, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of the occupants of the New-Stockbridge and Cowassalone tracts of land;" and after some time spent thereon, Mr. President resumed the chair, and Mr.

Tallmadge, from the said committee, reported the same with amendments.

*Ordered*, That said report be laid on the table.

Then the Senate adjourned until 11 o'clock to-morrow morning.

**THURSDAY, 11 O'CLOCK, A. M.—MARCH 11, 1830.**

The Senate met pursuant to adjournment.

Mr. McLean presented the petition of sundry persons, praying the legislature to accept the proposition of John B. Yates, relative to the literary institution at Chittenango, Madison county, on the ground of its public utility, and as a measure of correct state policy; also certain resolutions passed at the annual town-meeting in the town of Sullivan, Madison county, in favor thereof; which were severally read, and referred to the committee of the whole when on the bill to which the subject relates.

Mr. Bronson, from the select committee, to which was recommit-  
ted the bill from the Assembly, entitled "An act to repeal a part of title second, article first, of chapter third, of the fourth part of the Revised Statutes," made a report in favor of the passage of the same, which, together with the bill, was committed to a committee of the whole.

[See Document No. 255.]

Mr. Hubbard, from the committee on claims, to which was referred the petition of Solomon Devendorff, praying remuneration for lands sold to him by the state, which are deficient in quantity, made a favorable report on the same, and brought in a bill entitled "An act for the relief of Solomon Devendorff;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

[See Document No. 256.]

Mr. Sherman, from the select committee, consisting of the Senators from the first district, to whom was referred the petition of the Long-Island sound harbor company, and also the petition of masters and pilots of vessels navigating the waters of the Long-Island sound, made a report in favor of the same, and by leave brought in a bill, entitled "An act to incorporate the Long-Island sound harbor company," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole, and ordered to be printed.

[See Document No. 265.]

Mr. Todd gave notice that at some future time, he would ask leave to introduce a bill concerning the literature fund, the Oswego canal fund, and the Erie and Champlain canal fund:

Thereupon,

Mr. Todd, by unanimous consent, brought in said bill, entitled "An act concerning the literature fund, Oswego canal fund, and the Erie and Champlain canal fund;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole, and ordered to be printed.

On motion of Mr. McLean,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to loan the credit of the state for certain literary purposes," and that the same, together with the petitions and documents relating thereto, be referred to the committee on literature, further to examine the plan and system of instruction, and to collect such other information as may be in their power, relative to the probable present and prospective value of the security.

On motion of Mr. Waterman,

*Resolved*, That the commissioners of the canal fund report to the Senate, what amount of damages has been awarded to the owners of lands in the valley of Wood creek, for injuries done by the Champlain canal, designating the individuals to whom such damages have been paid; and also whether such damages have been assessed under an agreement with the claimants of damages, that a ditch should be dug at the expense of the state, through the lands of D. H. Alden and others, and with reference to the construction of such a ditch: and also whether a waste-weir has been closed as a substitute for such ditch, and what the effect of closing such waste-weir has been on the lands damaged.

The Senate then took up the consideration of the question on the final passage of the engrossed bill, entitled "An act to amend the act entitled 'An act to incorporate the village of Norwich.'"

Thereupon,

On motion of Mr. Tracy,

*Ordered*, That said bill be recommitted to a committee of the whole.

The Senate then again resolved itself into a committee of the whole, on said bill; and after some time spent thereon, Mr. President resumed the chair, and Mr. Maynard, from the said committee, reported the same with amendments.

Thereupon,

Mr. Waterman made a motion to amend said report, by striking out the third section thereof, in the words following, to wit:

"It shall be lawful for the trustees of said village, by writing under their hands and seals, to grant licenses in addition to the licenses provided for by the Revised Statutes, to such persons as shall apply to keep groceries, victualling houses and ordinaries in said village, to retail strong or spiritous liquors to be drunk in his or her store or shop, and they shall receive for such license not less than five dollars, nor more than twenty-five; and the monies so raised shall be applied by said trustees towards defraying the contingent

[SENATE JOURNAL.]

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expenses of said village ; but each and every grocer shall, at the time of receiving such license, appear before the president of the board of trustees, and enter into a recognizance to the people of the state of New-York, in the sum of one hundred dollars, conditioned that such person will not, during the time he shall sell liquors as aforesaid, keep a disorderly house, or suffer any cock-fighting, gaming or playing with cards or dice, or keep a billiard-table, shuffle-board, or permit any raffling within said grocery ; but such licenses shall only be granted to such persons as shall first have received the license of the commissioners of excise aforesaid."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit :

**FOR THE NEGATIVE.**

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Eaton   | Mr. Oliver    |
| Mr. Armstrong | Mr. Enos    | Mr. Schenck   |
| Mr. Benton    | Mr. Gere    | Mr. Tallmadge |
| Mr. Boughton  | Mr. Hubbard | Mr. Throop    |
| Mr. Bronson   | Mr. Maynard | Mr. Todd      |
| Mr. Conklin   | Mr. McCarty | Mr. Woodward  |
| Mr. Deitz     |             |               |

19

**FOR THE AFFIRMATIVE.**

|            |              |             |
|------------|--------------|-------------|
| Mr. Mather | Mr. Waterman | Mr. Wheeler |
|------------|--------------|-------------|

3

Thereupon,

The Senate agreed to the report of the committee of the whole, and the bill was ordered to be engrossed.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled " An act for the better security of mechanics and others erecting buildings in the city and county of New-York ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported progress, and asked for leave to sit again.

*Ordered,* That said committee do not have leave to sit again.

Mr. Allen presented the petition of the trustees of the New-York La Fayette fire insurance company, praying for a law directing the commissioners of the land-office to grant them certain premises under water in the East river, which was read, and referred to the committee on the judiciary.

The Senate then resolved itself into a committee of the whole, on the bill entitled " An act relative to Coxe's patent, in the counties of Tioga and Broome ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Enos, from the said committee, reported the same with amendments, and an alteration of the title, so as to read " An act relative to Coxe's patent, in the county of Tioga ;" which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act authorising an additional amount of money to be raised by tax for roads and bridges in the town of Sodus;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tracy, from the said committee, reported the same without amendment.

*Ordered*, That said report be laid on the table.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for continuing and regulating a ferry across the North river, in the town of Phillips, in Putnam county;" and after some time spent thereon, Mr. President resumed the chair, and Mr. McCarty, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Then the Senate adjourned until 11 o'clock to-morrow morning.

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**FRIDAY, 11 O'CLOCK, A. M.—MARCH 12, 1830.**

The Senate met pursuant to adjournment.

Mr. Woodward presented the petition of Gilbert D. Dillon, late first lieutenant of a company of artillery in Ulster county, praying relief in consequence of wounds received while performing his duty, which was read, and referred to the committee on claims.

Mr. Benton, from the committee on the judiciary, on the petition of the trustees of the New-York La Fayette insurance company, reported a bill entitled "An act to empower the commissioners of the land-office to grant certain lands;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Conklin, from the select committee, on the petition of the owners of the long wharf in the port of Sag-Harbor, reported that the committee had prepared a bill entitled "An act to incorporate the proprietors of the long wharf, at Sag-Harbor, in the county of Suffolk;" which, by leave, was brought in, read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Mather, from the select committee, on the petition of the court of common pleas of the county of Onondaga, reported that the committee had prepared a bill, entitled "An act relative to the courts of common pleas and general sessions, in and for the county of Onondaga;" which, by leave, was brought in, read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Mather, from the select committee, on the memorial of the judges and members of the bar, of Onondaga county, reported that



**SATURDAY, 11 O'CLOCK, A. M.—MARCH 13, 1830.**

The Senate met pursuant to adjournment.

Mr. Enos presented the petition of sundry inhabitants of the town of Turin, in the county of Lewis, praying for a division of that town, which was read, and referred to the committee on the division of counties and towns.

Mr. McCarty presented the memorial of certain inhabitants of Lansingburgh, in relation to a female state prison, which was read, and referred to a committee of the whole, when on the bill to which the subject relates.

Mr. Hubbard, from the committee on claims, to which was referred the petition of Gilbert D. Dillon, praying for relief, in consequence of wounds received while performing his duty in a company of artillery of the militia of this state, reported; and offered the following resolution, which was agreed to by the Senate:

[See Document No. 305.]

*Resolved*, That the petitioner have leave to withdraw his petition.

Mr. Hubbard, from the same committee, reported, without amendment, the bill from the Assembly, entitled "An act for the relief of Lemuel Warren;" which was committed to a committee of the whole.

Mr. Benton gave notice that he would on some future day, ask leave to introduce a bill concerning the Capitol, and provide for the appointment of a superintendent thereof.

On motion of Mr. Benton,

*Resolved*, That when the Senate adjourns, it will adjourn to meet on Monday next, at ten o'clock in the forenoon, and will continue to meet at that hour until further ordered.

Mr. Mather, from the committee on enrolled bills, reported two bills as correctly engrossed, of the following titles, to wit:

"An act to reduce the parades and rendezvous of the militia, and to amend the provisions of chapter ten, part first, of the Revised Statutes, so far as to conform them to this act."

"An act authorising an additional amount of money to be raised by tax for roads and bridges in the town of Sodus."

Thereupon,

The said engrossed bill entitled "An act to reduce the parades and rendezvous of the militia, and to amend the provisions of chapter ten, part first, of the Revised Statutes, so far as to conform them to this act," was read the third time and passed.

The yeas and nays being moved and seconded, were as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Gere    | Mr. Tallmadge |
| Mr. Armstrong | Mr. Mather  | Mr. Todd      |
| Mr. Benton    | Mr. Maynard | Mr. Tracy     |
| Mr. Boughton  | Mr. McCarty | Mr. Waterman  |
| Mr. Conklin   | Mr. McLean  | Mr. Wheeler   |
| Mr. Deitz     | Mr. Sherman | Mr. Woodward  |
| Mr. Enos      |             |               |

19

## FOR THE NEGATIVE.

|             |            |            |   |
|-------------|------------|------------|---|
| Mr. Hubbard | Mr. Oliver | Mr. Throop | 3 |
|-------------|------------|------------|---|

The said engrossed bill entitled "An act authorising an additional amount of money to be raised by tax for roads and bridges in the town of Sodus," was read the third time and passed.

*Ordered*, That the clerk deliver said several bills to the Assembly, and request their concurrence to the same.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to appoint commissioners to lay out a road from the village of Sherburne, in the county of Chenango, to Waterville and Utica, in the county of Oneida;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported the same with amendments; which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Solomon Devendorff;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Wheeler, from the said committee, reported progress.

Thereupon,

*Ordered*, That the committee of the whole be discharged from the further consideration of said bill, and that the same be referred to the committee on the judiciary.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act concerning the literature fund, the Oswego canal fund, and the Erie and Champlain canal fund;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from said committee, reported progress.

Thereupon,

On motion of Mr. Beardsley,

*Resolved*, That the committee of the whole be discharged from the further consideration of said bill, and that the same be referred to the Regents of the University, with a request that they report thereon with all convenient speed.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act relative to the courts of common pleas and general sessions of the peace in and for the county of Onondaga;" and also the bill entitled "An act to amend the act entitled 'An act to authorise the erection of a new court-house and jail in the county

of Onondaga,' passed April 5, 1828;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act authorising the erection of a state prison for female convicts;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the relief of Lemuel Warren;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Boughton, from the said committee, reported that the committee had disagreed to the first and only section of said bill, which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the bill be rejected.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

Then the Senate adjourned until 10 o'clock on Monday morning next.

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### MONDAY, 10 O'CLOCK, A. M.—MARCH 15, 1830.

The Senate met pursuant to adjournment.

Mr. Beardsley presented the petition of sundry inhabitants of the towns of Milford, Otsego and Huntsville, in Otsego county, praying for a law altering the boundaries of, and to divide said towns; which was read, and referred to the committee on the division of counties and towns.

Mr. Beardsley, from the committee on the division of counties and towns, reported, with amendments, the bill from the Assembly, entitled "An act to divide the town of Williamstown, in the county of Oswego;" which was committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act relative to the sale of certain lands and tenements advertised to be sold for assessments in the city of New-York, on the 22d day of March, 1830;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the first senate district.

Mr. Benton, pursuant to previous notice, asked for and obtained leave to bring in a bill, entitled "An act concerning the capitol, and providing for a superintendent thereof."

Thereupon,

Mr. Benton brought in said bill, which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary, and ordered to be printed.

Mr. Mather, from the committee on enrolled bills, reported the bill entitled "An act to appoint commissioners to lay out a road from the village of Sherburne, in the county of Chenango, to Waterville and Utica, in the county of Oneida," as correctly engrossed.

Thereupon,

The said engrossed bill was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act relative to the courts of common pleas and general sessions in and for the county of Onondaga," and also the bill entitled "An act to amend the act entitled 'An act authorising the erection of a new court-house and jail in the county of Onondaga,' passed April 5, 1828;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act authorising the erection of a state prison for female convicts;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to incorporate Manhattan College;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Eaton, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

**TUESDAY, 10 O'CLOCK, A. M.—MARCH 16, 1830.**

The Senate met pursuant to adjournment.

Mr. Conklin presented four several petitions of sundry inhabitants of the counties of Suffolk and Queens, praying for the repeal of so much of the Revised Statutes as prohibits the hunting of deer with hounds, in the county of Suffolk; and also a remonstrance of sundry inhabitants of the county of Suffolk against such repeal, which were severally read, and referred to a select committee consisting of the members attending the Senate from the first senate district.

[SENATE JOURNAL.]

X

Mr. Todd presented the statement of Samuel Akerly, secretary of the New-York institution for the deaf and dumb, relative to the proceedings of the directors of that institution, which was read, and committed to a committee of the whole when on the bill for increasing the number of state pupils in the New-York institution for the deaf and dumb.

Mr. Benton, from the committee on the judiciary, reported, without amendment, the bill entitled "An act for the relief of Solomon Devendorff;" which was committed to a committee of the whole.

Mr. Woodward, from the committee on manufactures, on the petition of the trustees of the Schenando cotton manufactory, reported a bill entitled "An act authorising the trustees of the Schenando cotton manufactory to sell their real estate;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Benton, from the committee on the judiciary, reported, with amendments, the bill entitled "An act concerning the Capitol, and providing for a superintendent thereof;" which was committed to a committee of the whole.

Mr. McLean, from the committee on literature, reported against the bill from the Assembly, entitled "An act further to amend the act regulating the practice of physic and surgery;" which was committed to a committee of the whole.

Mr. Allen, from the select committee on the bill from the Assembly, entitled "An act relative to the sale of certain lands and tenements, advertised to be sold for assessments in the city of New-York on the 22d day of March, 1830," reported the same without amendment; which was ordered to a third reading.

A report was received from the canal commissioners, on the petition of sundry inhabitants of the village of Utica, praying for the erection of a bridge over the Erie canal, which was read, and together with the petition, ordered to be laid on the table.

[See Document No. 274.]

Six bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to amend the seventh article, of title nine, of chapter nine, of the first part of the Revised Statutes:"

"An act to change the name of Jordan Wright Cock, of the town of Flushing, in the county of Queens:"

"An act to authorise the supervisors of the respective counties of this state, to insure public buildings against loss by fire:"

"An act relative to jurors in mayor's courts:"

"An act relating to the inspection of pot and pearl ashes in the city and county of Albany:"

"An act to authorise the circuit judge of the sixth circuit, to alter the time for holding his court in said circuit:"

Which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act relative to the Fort-Miller dam, and the assessment and payment of damages;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to divide the town of Ancram, in the county of Columbia;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of counties and towns.

On motion of Mr. Todd,

*Resolved*, That the committee on the judiciary inquire whether any provision exists in the Revised Statutes, regulating the publication of legal notices, in cases where no newspaper is published in the county where notices are required to be published; and if none exists, that they report a mode for publishing notices in such cases.

On motion of Mr. Throop,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend the act entitled 'An act to authorise the erection of a new court-house and jail in the county of Onondaga,' passed April 5, 1828," and that the same be recommitted to the select committee which reported the bill.

The bill from the Assembly entitled "An act relative to the sale of certain lands and tenements, advertised to be sold for assessments in the city of New-York on the 22d day of March, 1830," was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act relative to the courts of common pleas and general sessions in and for the county of Onondaga;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported the same without amendment.

Thereupon,

Mr. Benton made a motion to amend said report, by striking out the first section thereof, in the words following, to wit:

"The act entitled 'An act relative to the circuit and court of oyer and terminer, and the county courts of the county of Onondaga, passed January 15, 1830;' so far as said act relates to the courts of common pleas and general sessions therein mentioned, is hereby repealed."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

## FOR THE NEGATIVE.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Eaton   | Mr. Sherman   |
| Mr. Armstrong | Mr. Gere    | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather  | Mr. Throop    |
| Mr. Boughton  | Mr. Maynard | Mr. Tracy     |
| Mr. Bronson   | Mr. McLean  | Mr. Waterman  |
| Mr. Conklin   | Mr. Oliver  | Mr. Woodward  |
| Mr. Deitz     | Mr. Schenck |               |

20

## FOR THE AFFIRMATIVE.

|             |             |             |
|-------------|-------------|-------------|
| Mr. Benton  | Mr. McCarty | Mr. Todd    |
| Mr. Enos    | Mr. Porter  | Mr. Wheeler |
| Mr. Hubbard | Mr. Rexford |             |

8

Thereupon,

The Senate agreed to the report of the committee of the whole, and the bill was ordered to be engrossed for a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to repeal a part of title second, article first, of chapter third, of the fourth part of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Gere, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Solomon Devendorf;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Deitz, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the proprietors of the long-wharf, at Sagg-Harbor, in the county of Suffolk;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Boughton, from the said committee, reported progress, and asked for and obtained leave to sit again.

*Ordered,* That said bill be printed.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to empower the commissioners of the land-office to grant certain lands;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Enos, from said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

**WEDNESDAY, 10 O'CLOCK, A. M.—MARCH 17, 1830.**

The Senate met pursuant to adjournment.

Mr. Tallmadge presented two several remonstrances of sundry inhabitants of the town of Ancram in the county of Columbia, against a division of said town, which were read, and referred to the committee on the division of counties and towns.

Mr. Benton, from the committee on the judiciary, reported, with amendments, two bills from the Assembly, of the following titles, to wit :

“An act to authorise the circuit judge of the sixth circuit, to alter the time of holding his court in said circuit :”

“An act relative to jurors in mayor's courts :”

Which were committed to a committee of the whole.

Mr. Benton, from the same committee, reported, without amendment, two bills from the Assembly, of the following titles, to wit :

“An act to authorise the supervisors of the respective counties of this state, to insure public buildings against loss by fire :”

“An act to change the name of Jordan Wright Cock, of the town of Flushing, in the county of Queens :”

Which were committed to a committee of the whole.

Mr. Beardsley, from the committee on the division of counties and towns, on the petition of sundry inhabitants of the town of Turin, reported a bill entitled “An act to divide the town of Turin in the county of Lewis ;” which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. McCarty, from the select committee, consisting of the Senators from the third Senate district, to whom was referred the petitions of the inhabitants of the several wards of the city of Albany, and also one of the inhabitants of said city generally, praying for a modification of the law relating to the school money, apportioned to that city, and for the establishment of district schools, reported ; and asked leave to bring in a bill.

[*See Document No. 323.*]

Thereupon,

Mr. McCarty, by leave, brought in said bill, entitled “An act relating to the common schools in the city of Albany ;” which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole, and ordered to be printed.

On motion of Mr. McLean,

*Ordered*, That when the Senate adjourns, it will adjourn to meet again to-morrow morning, at 11 o'clock, and will continue to meet at that hour, until otherwise ordered.



Mr. Mather, from the committee on enrolled bills, reported the bill entitled "An act relative to the courts of common pleas and general sessions, in and for the county of Onondaga," as correctly engrossed.

Thereupon,

The said engrossed bill was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to repeal a part of title second, article first, of chapter third, of the fourth part of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Gere, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Solomon Deventorff;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Deitz, from the said committee, reported the same with amendments; which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to empower the commissioners of the land-office to grant certain lands;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Enos, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to incorporate Manhattan College;" And after some time spent thereon, Mr. President resumed the chair, and Mr. Porter, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

**THURSDAY, 11 O'CLOCK, A. M.—MARCH 18, 1830.**

The Senate met pursuant to adjournment.

Mr. Beardsley presented the petition of the Florida bridge company, praying for amendments to their charter; which was read, and referred to the committee on roads and bridges.

Mr. Boughton presented the petition of sundry inhabitants of the town of Victor, Ontario county, praying for an act incorporating the Ontario high school; which was read, and referred to the committee on literature.

Mr. Beardsley, from the committee on the division of counties and towns, on the petition of sundry inhabitants of the towns of Milford,

Otego and Huntsville, in the county of Otsego, reported a bill entitled "An act to alter the town lines of Milford, Otego and Huntsville, in the county of Otsego;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Allen, from the committee on banks and insurance companies, on the petition of the president, directors and company of the National Bank of the city of New-York, reported a bill, entitled "An act to extend the time for filling up the stock of the National Bank of the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Allen, from the same committee, to which was referred the bill from the Assembly, to incorporate the president, directors and company of the Saratoga county bank, made a report in favor of the passage of the same.

*Ordered*, That said bill and report be recommitted to a committee of the whole.

[See Document No. 281.]

Mr. Benton, from the committee on the judiciary, reported with amendments, the bill from the Assembly, entitled "An act to amend the seventh title, of the fourteenth chapter, of the first part of the Revised Statutes;" which was committed to a committee of the whole.

A report was received from the commissioners of the land-office, on the resolution of the Senate of the 3d instant, relative to the quantity of lands belonging to each fund of this state, which have been sold within the last five years, and the product in the aggregate of such sales, &c. which was read and referred to the select committee, consisting of one member from each senate district, of which Mr. Maynard is chairman.

[See Document No. 279.]

Two bills were received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended them accordingly, of the following titles, to wit:

"An act for the relief of Perkins Nichols:"

"An act concerning the map and atlas of the state."

The said amended bills having been examined:

*Ordered*, That the clerk return the same to the Assembly.

The bill entitled "An act for the relief of John C. McLean," was received from the Assembly, with a message that they had passed the same, with the amendment therewith delivered.

The said amendment having been read:

*Resolved*, That the Senate do concur with the Assembly in their amendment to said bill.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

Two bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act to incorporate the Rochester canal and rail-road company."

"An act for the relief of Daniel Carswell."

Which were severally read the first time, and by unanimous consent were also read the second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Schenectady fire insurance company in the city of Schenectady;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act authorising the sale of certain lands in the mine reservation, in the county of Cayuga;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act entitled 'An act to erect the town of Lawrence, in the county of St. Lawrence,' passed April 21st, 1828;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of counties and towns.

A bill was received from the Assembly for concurrence, entitled "An act authorising John Light and Henry Light to erect a dam in the Susquehannah river;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the sixth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate a fire company at Fishkill landing, in the county of Dutchess;" which was read the first time, and by unanimous consent, was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the second senate district.

The Senate then took up the consideration of the report of the committee of the whole on the bill, entitled "An act for the relief of the occupants of the New-Stockbridge and Cowassalone tracts of land;" which, after being amended, was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Mather, from the committee on enrolled bills, reported two bills as correctly engrossed, of the following titles, to wit :

"An act for the relief of Solomon Devendorff,"

"An act to empower the commissioners of the land-office to grant certain lands."

Thereupon,

The said engrossed bill, entitled "An act for the relief of Solomon Devendorff," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof as follows, to wit :

## FOR THE AFFIRMATIVE.

|               |             |               |    |
|---------------|-------------|---------------|----|
| Mr. Allen     | Mr. Eaton   | Mr. Rexford   |    |
| Mr. Armstrong | Mr. Enos    | Mr. Schenck   |    |
| Mr. Beardsley | Mr. Gere    | Mr. Sherman   |    |
| Mr. Benton    | Mr. Mather  | Mr. Tallmadge |    |
| Mr. Boughton  | Mr. McCarty | Mr. Throop    |    |
| Mr. Bronson   | Mr. McLean  | Mr. Tracy     |    |
| Mr. Conklin   | Mr. Oliver  | Mr. Warren    |    |
| Mr. Deitz     | Mr. Porter  | Mr. Wheeler   | 24 |

## FOR THE NEGATIVE.

|             |          |              |   |
|-------------|----------|--------------|---|
| Mr. Maynard | Mr. Todd | Mr. Waterman | 3 |
|-------------|----------|--------------|---|

The said engrossed bill, entitled "An act to empower the commissioners of the land-office to grant certain lands," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |             |               |    |
|---------------|-------------|---------------|----|
| Mr. Allen     | Mr. Enos    | Mr. Schenck   |    |
| Mr. Armstrong | Mr. Gere    | Mr. Sherman   |    |
| Mr. Beardsley | Mr. Mather  | Mr. Tallmadge |    |
| Mr. Benton    | Mr. Maynard | Mr. Throop    |    |
| Mr. Boughton  | Mr. McCarty | Mr. Todd      |    |
| Mr. Bronson   | Mr. McLean  | Mr. Tracy     |    |
| Mr. Conklin   | Mr. Oliver  | Mr. Warren    |    |
| Mr. Deitz     | Mr. Porter  | Mr. Waterman  |    |
| Mr. Eaton     | Mr. Rexford | Mr. Wheeler   | 27 |

*Ordered*, That the clerk deliver said several bills to the Assembly, and request their concurrence to the same.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to repeal a part of title second, article first, of chapter third, of the fourth part of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Eaton, on behalf of Mr. Gere, from the said committee, reported the same without amendment.

Thereupon,

The said report was again read, in the words following, to wit:

"So much of the third section of the first article, of the second title, of the third chapter, of the fourth part of the Revised Statutes, as provides that the commissioners heretofore appointed to superintend the erection of a prison at Mount-Pleasant, shall be inspectors of that prison, until the expiration of one year after that title shall take effect as a law, and so much of the same section as prohibits the appointment of inspectors for that prison until the expiration of the time limited therein, shall be and the same is hereby repealed."

[SENATE JOURNAL.]

Y

Two bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act to incorporate the Rochester canal and rail-road company :"

"An act for the relief of Daniel Carswell :"

Which were severally read the first time, and by unanimous consent were also read the second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Schenectady fire insurance company in the city of Schenectady;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act authorising the sale of certain lands in the mine reservation, in the county of Cayuga;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act entitled 'An act to erect the town of Lawrence, in the county of St. Lawrence,' passed April 21st, 1828;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of counties and towns.

A bill was received from the Assembly for concurrence, entitled "An act authorising John Light and Henry Light to erect a dam in the Susquehannah river;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the sixth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate a fire company at Fishkill landing, in the county of Dutchess;" which was read the first time, and by unanimous consent, was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the second senate district.

The Senate then took up the consideration of the report of the committee of the whole on the bill, entitled "An act for the relief of the occupants of the New-Stockbridge and Cowassalone tracts of land;" which, after being amended, was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Mather, from the committee on enrolled bills, reported two bills as correctly engrossed, of the following titles, to wit :

"An act for the relief of Solomon Devendorff,"

"An act to empower the commissioners of the land-office to grant certain lands."

Thereupon,

The said engrossed bill, entitled "An act for the relief of Solomon Devendorff," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof as follows, to wit :

## FOR THE AFFIRMATIVE.

|               |             |               |    |
|---------------|-------------|---------------|----|
| Mr. Allen     | Mr. Eaton   | Mr. Rexford   |    |
| Mr. Armstrong | Mr. Enos    | Mr. Schenck   |    |
| Mr. Beardsley | Mr. Gere    | Mr. Sherman   |    |
| Mr. Benton    | Mr. Mather  | Mr. Tallmadge |    |
| Mr. Boughton  | Mr. McCarty | Mr. Throop    |    |
| Mr. Bronson   | Mr. McLean  | Mr. Tracy     |    |
| Mr. Conklin   | Mr. Oliver  | Mr. Warren    |    |
| Mr. Deitz     | Mr. Porter  | Mr. Wheeler   | 24 |

## FOR THE NEGATIVE.

|             |          |              |   |
|-------------|----------|--------------|---|
| Mr. Maynard | Mr. Todd | Mr. Waterman | 3 |
|-------------|----------|--------------|---|

The said engrossed bill, entitled "An act to empower the commissioners of the land-office to grant certain lands," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |             |               |    |
|---------------|-------------|---------------|----|
| Mr. Allen     | Mr. Enos    | Mr. Schenck   |    |
| Mr. Armstrong | Mr. Gere    | Mr. Sherman   |    |
| Mr. Beardsley | Mr. Mather  | Mr. Tallmadge |    |
| Mr. Benton    | Mr. Maynard | Mr. Throop    |    |
| Mr. Boughton  | Mr. McCarty | Mr. Todd      |    |
| Mr. Bronson   | Mr. McLean  | Mr. Tracy     |    |
| Mr. Conklin   | Mr. Oliver  | Mr. Warren    |    |
| Mr. Deitz     | Mr. Porter  | Mr. Waterman  |    |
| Mr. Eaton     | Mr. Rexford | Mr. Wheeler   | 27 |

*Ordered,* That the clerk deliver said several bills to the Assembly, and request their concurrence to the same.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to repeal a part of title second, article first, of chapter third, of the fourth part of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Eaton, on behalf of Mr. Gere, from the said committee, reported the same without amendment.

Thereupon,

The said report was again read, in the words following, to wit:

"So much of the third section of the first article, of the second title, of the third chapter, of the fourth part of the Revised Statutes, as provides that the commissioners heretofore appointed to superintend the erection of a prison at Mount-Pleasant, shall be inspectors of that prison, until the expiration of one year after that title shall take effect as a law, and so much of the same section as prohibits the appointment of inspectors for that prison until the expiration of the time limited therein, shall be and the same is hereby repealed."

[SENATE JOURNAL.]

Y

Mr. President put the question on agreeing to said report, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit :

**FOR THE AFFIRMATIVE.**

|               |            |               |
|---------------|------------|---------------|
| Mr. Armstrong | Mr. Eaton  | Mr. Sherman   |
| Mr. Beardsley | Mr. Enos   | Mr. Tallmadge |
| Mr. Benton    | Mr. Gere   | Mr. Throop    |
| Mr. Bronson   | Mr. Oliver | Mr. Todd      |
| Mr. Conklin   |            |               |

13

**FOR THE NEGATIVE.**

|              |             |              |
|--------------|-------------|--------------|
| Mr. Allen    | Mr. Maynard | Mr. Tracy    |
| Mr. Boughton | Mr. McLean  | Mr. Waterman |
| Mr. Mather   | Mr. Porter  | Mr. Wheeler  |

9

Thereupon,

The said bill was ordered to a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to incorporate Manhattan College;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Eaton, from the said committee, reported the same with amendments; which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the proprietors of the long-wharf at Saggs-Harbor, in the county of Suffolk;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Boughton, from the said committee, reported the same with amendments; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to divide the town of Williamstown in the county of Oswego;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Warren, from the said committee, reported the same with an amendment; which report was agreed to by the Senate, and the amendment ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Long-Island sound harbor company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Beardsley, from the said committee, reported the same with amendments; which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Then the Senate adjourned until 11 o'clock to-morrow morning.

**FRIDAY, 11 O'CLOCK, A. M.—MARCH 19, 1830.**

The Senate met pursuant to adjournment.

Mr. Maynard presented the memorial of the Rutgers medical faculty, in the city of New-York, relative to the incorporation of Manhattan College, which was read, and ordered to be laid on the table, and printed.

[See Document No. 297.]

Mr. Tallmadge presented the petition of sundry inhabitants and freeholders of the village of Kingston, praying for an alteration of their charter ; which was read, and referred to a select committee, consisting of the members attending the Senate from the second senate district.

Mr. Wheeler presented the petition of sundry inhabitants of Otsego county, praying for the erection of a bridge across the Susquehannah river ; which was read, and referred to the committee on roads and bridges.

Mr. Wheeler, on behalf of Mr. McMartin, from the committee on roads and bridges, on the petition of the Schaghticoke point bridge company, reported a bill entitled " An act relative to the Schaghticoke point bridge company ;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Allen, from the committee on banks and insurance companies, to which was referred the bill from the Assembly, entitled " An act to incorporate the president, directors and company of the Hudson river bank ;" made a report in favor of the passage of the same.

[See Document No. 292.]

**Ordered,** That said bill and report be committed to a committee of the whole.

Mr. Beardsley, from the committee on the division of counties and towns, reported, without amendment, the bill from the Assembly, entitled " An act to amend the act entitled ' An act to erect the town of Lawrence, in the county of St. Lawrence,' passed April 21, 1828 ;" which was committed to a committee of the whole.

Mr. Wheeler, from the select committee on the bill from the Assembly, entitled " An act authorising John Light and Henry Light to erect a dam in the Susquehannah river," reported the same without amendment, which was committed to a committee of the whole.

A report was received from the canal board, on the resolution of the Senate, of the 25th February last, relative to imposing higher rates of duty or tolls, on merchandize or property transported on the canals of this state ; which was read, and ordered to be laid on the table, and that three times the usual number of copies be printed.

[See Document No. 291.]



The bill entitled "An act for the relief of John C. McLean," was returned from the Assembly, and presented to his honor the Lieutenant-Governor by the clerk.

The following bills were received from the Assembly, with a message, that they had passed the same, severally, without amendment: to wit:

"An act authorising John E. Hinman and Henry W. Schröppel to erect and maintain a dam across the Oneida river:"

"An act to appoint commissioners to lay out a road from the village of Sherburne, in the county of Chenango, to Waterville and Utica, in the county of Oneida:"

Which were presented to his honor the Lieutenant-Governor by the clerk.

Mr. Eaton presented the memorial of the mayor, aldermen and commonalty of the city of Schenectady, relative to the prison for female convicts; which was read and referred to a committee of the whole, when on the bill to which the subject relates.

Mr. Mather gave notice that he would, at a future day, ask leave to introduce a bill, entitled "An act to amend the act entitled 'An act to incorporate the village of Salina, in the county of Onondaga,' passed March 12, 1824."

Mr. Mather, from the committee on enrolled bills, reported three bills as correctly engrossed, of the following titles, to wit:

"An act for the relief of the occupants of the New-Stockbridge and Cowassalone tracts of land:"

"An act to incorporate Manhattan College:"

"An act to incorporate the proprietors of the long-wharf, at Sag Harbor, in the county of Suffolk."

Thereupon,

The said engrossed bill, entitled "An act for the relief of the occupants of the New-Stockbridge and Cowassalone tracts of land," was read the third time and lost; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

#### FOR THE AFFIRMATIVE.

Mr. Beardsley  
Mr. Benton  
Mr. Boughton  
Mr. Bronson  
Mr. Conklin  
Mr. Deitz  
Mr. Enos

Mr. Gere  
Mr. Mather  
Mr. Maynard  
Mr. McCarty  
Mr. McLean  
Mr. Oliver

Mr. Porter  
Mr. Rexford  
Mr. Sherman  
Mr. Tracy  
Mr. Warren  
Mr. Wheeler

19

#### FOR THE NEGATIVE.

Mr. Allen  
Mr. Armstrong

Mr. Hubbard  
Mr. Tallmadge

Mr. Throop

5

The said engrossed bill, entitled "An act to incorporate Manhattan College," was read the third time, and the question on its final passage ordered to be laid on the table. \*

The said engrossed bill, entitled "An act to incorporate the proprietors of the long-wharf, at Sagg-Harbor, in the county of Suffolk," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Gere    | Mr. Rexford   |
| Mr. Armstrong | Mr. Hubbard | Mr. Sherman   |
| Mr. Beardsley | Mr. Mather  | Mr. Tallmadge |
| Mr. Benton    | Mr. Maynard | Mr. Throop    |
| Mr. Boughton  | Mr. McCarty | Mr. Todd      |
| Mr. Bronson   | Mr. McLean  | Mr. Tracy     |
| Mr. Conklin   | Mr. Oliver  | Mr. Warren    |
| Mr. Deitz     | Mr. Porter  | Mr. Wheeler   |
| Mr. Enos      |             |               |

25

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act to repeal a part of title second, article first, of chapter third, of the fourth part of the Revised Statutes," was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, without amendment.

The bill from the Assembly, entitled "An act to divide the town of Williamstown, in the county of Oswego," with the engrossed amendments, was read the third time and passed.

*Ordered*, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act authorising the Schenando cotton manufactory to sell their real estate;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tracy, from the said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Todd,

*Ordered*, That the committee of the whole be discharged from the further consideration of said bill, and that the same be referred to the committee on the judiciary.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act concerning the Capitol, and providing for a superintendent thereof;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Rexford, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act relative to jurors in mayors' courts;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Bronson, from the said committee, reported the same with amendments, which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to authorise the circuit judge of the sixth circuit, to alter the time for holding his court in said circuit;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported the same with an amendment; which report was agreed to by the Senate, and the amendment ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to authorise the supervisors of the respective counties of this state, to insure public buildings against loss by fire;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Allen, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to change the name of Jordan Wright Cock, of the town of Flushing, in the county of Queens;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to divide the town of Turin, in the county of Lewis;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to alter the town lines of Milford, Otsego and Huntville, in the county of Otsego;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Boughton, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Saratoga county bank;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported progress, and asked for and obtained leave to sit again.

The bill from the Assembly, entitled "An act relative to jurors in mayors' courts," with the engrossed amendments, was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill entitled "An act relative to jurors in mayors' courts," was received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

*Ordered*, That the clerk return the same to the Assembly.

After the consideration of executive business, the Senate adjourned until 11 o'clock to-morrow morning.

**SATURDAY, 11 O'CLOCK, A. M.—MARCH 20, 1830.**

The Senate met pursuant to adjournment.

Mr. Conklin presented the petition of sundry inhabitants of Queens county, praying for a law authorising the erection of a fire-proof clerk's office, and authority to raise money for that purpose, which was read, and referred to the committee on the judiciary.

Mr. Tracy presented the petition of Lemuel Wasson, praying for a law authorising him to execute his bond of office; which was read, and referred to the committee on the judiciary.

Mr. Benton, from the committee on the judiciary, reported, without amendment, the bill from the Assembly, entitled "An act relating to the inspection of pot and pearl ashes in the city and county of Albany;" which was committed to a committee of the whole.

Mr. Allen, from the committee on banks and insurance companies, reported, without amendment, the bill from the Assembly, entitled "An act to incorporate the Schenectady fire insurance company in the city of Schenectady;" which was committed to a committee of the whole.

Mr. Maynard, from the committee on literature, to whom was referred the petitions of the trustees of Hamilton academy in the county of Madison; the Oneida institute, Whitesborough academy, and Utica academy, in the county of Oneida, relative to the distribution of the income of the literature fund, made a report on that subject, concluding with the following resolution:

*Resolved*, That the Regents of the University report to the Senate, whether in their opinion, any alteration in the mode of distributing the income of the literature fund is necessary, or would be useful; and if so, to designate such alteration, and state their reasons for a change:

Which was agreed to by the Senate.

[See Document No. 304.]

A message from his honor the Lieutenant-Governor, delivered by his private secretary, was read in the words following, to wit :

# TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act authorising John E. Hinman and Henry W. Schröppel to erect and maintain a dam across the Oneida river."

Also the bill entitled "An act to appoint commissioners to lay out a road from the village of Sherburne, in the county of Chenango, to Waterville and Utica, in the county of Oneida."

Also the bill entitled "An act for the relief of John C. McLean."

E. T. THROOP.

*Albany, March 19, 1830.*

The bill entitled "An act to divide the town of Williamstown, in the county of Oswego," was received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

*Ordered*, That the clerk return the same to the Assembly.

The bill entitled "An act to authorise the town of North-Hempstead, in the county of Queens, to sell its common lands, and to appoint commissioners for that purpose," was received from the Assembly with a message that they had passed the same, with the amendments therewith delivered.

The said amendments having been read :

*Resolved*, That the Senate do concur with the Assembly in their amendments to said bill.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to loan money to the county of Cattaraugus;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the Dutchess turnpike company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to change the name of Frederick Gouverneur;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act entitled 'An act providing for inspectors of unslacked lime, in the county of Greene,' passed March 17, 1829." which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the third senate district.

On motion of Mr. Benton,

*Ordered*, That the report from the canal board, yesterday made to the Senate, relative to increasing the rates of duty or tolls on property transported on the canals of this state, be referred to the com-

mittee of the whole when on the bill entitled "An act to provide for the deficiency in the revenue of the general fund."

Mr. Mather, from the committee on enrolled bills, reported four bills as correctly engrossed, of the following titles, to wit:

"An act to alter the town lines of Milford, Otego and Huntsville, in the county of Otsego:"

"An act to divide the town of Turin, in the county of Lewis:"

"An act concerning the Capitol, and providing for the appointment of a superintendent thereof:"

"An act to incorporate the Long-Island sound harbor company."

Thereupon,

The said engrossed bill, entitled "An act to alter the town lines of Milford, Otego and Huntsville, in the county of Otsego," was read the third time, and the question on its final passage ordered to be laid on the table.

The said engrossed bill entitled "An act concerning the Capitol, and providing for the appointment of a superintendent thereof," was read the third time and passed.

The said engrossed bill, entitled "An act to incorporate the Long-Island sound harbor company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

#### FOR THE NEGATIVE.

|               |             |             |
|---------------|-------------|-------------|
| Mr. Allen     | Mr. Eaton   | Mr. Oliver  |
| Mr. Armstrong | Mr. Enos    | Mr. Rexford |
| Mr. Beardsley | Mr. Hubbard | Mr. Sherman |
| Mr. Benton    | Mr. Mather  | Mr. Throop  |
| Mr. Boughton  | Mr. Maynard | Mr. Todd    |
| Mr. Bronson   | Mr. McCarty | Mr. Tracy   |
| Mr. Conklin   | Mr. McLean  | Mr. Warren  |
| Mr. Deitz     |             |             |

22

*Ordered*, That the clerk deliver said several bills to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act to change the name of Jordan Wright Cock, of the town of Flushing in the county of Queens," was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Bill from the Assembly, entitled "An act to authorise the circuit judge of the sixth circuit, to alter the time for holding his court in said circuit," with the engrossed amendment, was read the third time, and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, with the amendment therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorpo-

rate the president, directors and company of the Saratoga county Bank ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock on Monday morning next.

**MONDAY, 11 O'CLOCK, A. M.—MARCH 22, 1830.**

The Senate met pursuant to adjournment.

A copy of a preamble and resolution from the Assembly, was read in the words following, to wit :

The Speaker having announced to the House the decease of the Hon. Herman M. Hardenburgh, a member of this house from the county of Sullivan :

*Resolved*, That a committee of five be appointed to make the necessary arrangements for the funeral of the deceased ; and that this House will attend the same, and wear the usual badge of mourning during the remainder of the session ; and that the clerk of this House communicate this resolution to the honorable the Senate.

Thereupon,

On motion of Mr. Woodward,

*Resolved*, That the Senate lament the loss the state has sustained in the death of the Hon. Herman M. Hardenburgh, a member of the Assembly from the county of Sullivan ; and that in testimony of respect for the deceased, the members of the Senate will wear the usual badge of mourning during the remainder of the session ; and will in a body attend the funeral.

*Resolved*, That the Senate will immediately adjourn.

Then the Senate adjourned until 11 o'clock to-morrow morning.

**TUESDAY, 11 O'CLOCK, A. M.—MARCH 23, 1830.**

The Senate met pursuant to adjournment.

Mr. Conklin presented the petition of sundry inhabitants of the city of New-York, relative to the inspection of flour ; which was read, and referred to the committee on manufactures.

Mr. Maynard presented the memorial of Elias Rudo, praying for a remission of five hundred dollars, of the price of a lot of land, purchased by him of the state; which was read, and referred to the committee on claims.

Mr. Armstrong presented the petition of the trustees of Palmyra high school, praying for a law authorising the trustees of school district number one, in the town of Palmyra, to convey to them the school-house and lot belonging to said district; which was read, and referred to the committee on the judiciary.

Mr. Allen presented the petition of Isaac Bronson and others, praying to be incorporated for banking purposes, by the name of the Seventh Ward Bank, of the city of New-York; which was read, and referred to the committee on banks and insurance companies.

Mr. Woodward presented the petition of the president and directors of the Great Island turnpike company, praying for legislative aid; which was read, and referred to the committee on roads and bridges.

Mr. Todd, from the committee on finance, reported, with amendments, the bill from the Assembly, entitled "An act authorising the sale of certain lands in the mine reservation, in the county of Cayuga;" which was committed to a committee of the whole.

Mr. Todd, from the same committee, reported, without amendment, the bill from the Assembly, entitled "An act to loan money to the county of Cattaraugus;" which was committed to a committee of the whole.

Mr. McLean, from the committee on literature, on the petition of sundry inhabitants of the town of Victor, Ontario county, reported a bill, entitled "An act to incorporate the Ontario high school," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Maynard, from the committee on literature, reported a bill, entitled "An act concerning the literature fund;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Benton, from the committee on the judiciary, on the petition of Lemuel Wasson, reported a bill entitled "An act for the relief of Lemuel Wasson;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Allen, from the committee on banks and insurance companies, to which was referred the bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Livingston county bank," made a report on the same.

*Ordered*, That said bill and report be committed to a committee of the whole.

[See Document No. 307.]

Mr. Allen, from the same committee, on the petition of the commissioners of the Whitehall bank, reported a bill, entitled "An act to extend the time for filling up the stock of the bank of Whitehall;"



which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Todd, from the select committee, on the petition of sundry inhabitants and freeholders of the village of Kingston, reported, that the committee had prepared a bill entitled "An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Kingston,' passed April 6, 1805;" which, by leave, was brought in, read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Bropson, from the select committee to whom was referred so much of the message of his honor the Lieutenant-Governor, as relates to the claims of this state on the United States, for aid furnished during the late war, made a report on that subject, concluding with the following resolution :

*Resolved*, (if the Assembly concur herein,) That the Comptroller be, and he is hereby required, to arrange the accounts and vouchers, for disbursements made by the state of New-York, on account of the late war, and forward the same to the delegation in Congress from this state, and request them to procure the passage of a law by Congress, upon just and equitable principles, for the payment of said accounts :

And also that he be required to employ some suitable person to bring to a final settlement, the ordnance or property account between the state of New-York and the United States ; and receive payment from the latter, in such ordnance, arms and military stores as may be most useful in arming and equipping the militia of this state.

*Ordered*, That said resolution be laid on the table.

[See Document No. 315.]

A communication was received from the Comptroller, relative to his report on the memorial of the president, managers and company of the Delaware and Hudson canal company, made to the Senate on the 23d day of February last ; which was read, and referred to the committee on the judiciary.

[See Document No. 317.]

Two bills were received from the Assembly, with a message that they had passed the same severally, without amendment, of the following titles, to wit :

"An act concerning the clerk's office, in the county of Queens :"

"An act authorising an additional amount of money to be raised by tax for roads and bridges, in the town of Sodus :"

Which were presented to his honor the Lieutenant-Governor, by the clerk.

A bill was received from the Assembly for concurrence, entitled "An act to amend the charter of the city of New-York ;" which was read the first time, and by unanimous consent, was also read a

second time, and referred to a select committee, consisting of the members attending the Senate from the first senate district.

A bill was received from the Assembly for concurrence, entitled "An act further to amend 'An act to incorporate the village of Utica,' passed April 7, 1817;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the fifth senate district.

A bill was received from the Assembly for concurrence, entitled "An act concerning the state road from Fredonia, in the county of Chautauque, to the village of Perry, in the county of Genesee;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the trustees of Romulus to receive certain monies of David Dey;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

Two bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to enable Thomas Perry and James Perry, aliens, to take, hold and convey real estate, upon certain conditions therein expressed:"

"An act for the relief of William Frazer:"

Which were read the first time, and by unanimous consent were also read the second time, and referred to the committee on the judiciary.

Mr. President put the question on the final passage of the engrossed bill entitled "An act to alter the town lines of Milford, Otsego and Huntsville, in the county of Otsego;" and it was decided in the affirmative.

*Ordered*, That the clerk deliver the said bill to the Assembly, and request their concurrence to the same.

On motion of Mr. Enos,

*Ordered*, That the engrossed bill entitled "An act to divide the town of Turin, in the county of Lewis," be recommitted to a committee of the whole.

The Senate then again resolved itself into a committee of the whole, on said bill; and after some time spent thereon, Mr. President resumed the chair, and Mr. Sherman, from the said committee, reported the same with amendments; which report was agreed to by the Senate, and the bill ordered to be re-engrossed.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the deficiency in the revenue of the general fund;" and after some time spent thereon, Mr. President resumed the chair, and Mr. McLean, from the said committee, reported progress, and asked for and obtained leave to sit again.

After the consideration of executive business, the Senate adjourned until 11 o'clock to-morrow morning.

**WEDNESDAY, 11 O'CLOCK, A. M.—MARCH 24, 1830.**

The Senate met pursuant to adjournment.

Mr. Porter presented the petition of Camp & Colvill and others, manufacturers of pot and pearl ashes in the counties of Chautauque, Erie and Cattaraugus, praying for an alteration of the law relative to the inspection of pot and pearl ashes in the city of New-York, which was read, and referred to the committee on manufactures.

Mr. Woodward presented the petition of Jesse Stow and others, of the county of Ulster, praying for a turnpike incorporation, which was read, and referred to the committee on roads and bridges.

Mr. Waterman presented the petition of sundry inhabitants of the county of Tompkins, praying for a modification of the laws relative to the practice of physic, which was read, and referred to a committee of the whole, when on the bill from the Assembly, to which the subject relates.

Mr. Sherman presented the petition of Edmond C. Genet, against usurped corporate privileges, and praying that the Legislature will direct the Attorney-General to proceed against the Manhattan company, in pursuance of the provisions contained in the Revised Statutes ; which was read, and ordered to be laid on the table.

The president presented the memorial of the New-York state colonization society, and of the American colonization society, soliciting the aid and co-operation of the Legislature ; which were read, and referred to a select committee consisting of Mr. Maynard, Mr. Sherman, and Mr. Tallmadge, and ordered to be printed.

[See Document No. 333.]

Mr. Benton, from the committee on the judiciary, on the petition of the trustees of the Palmyra High school, reported a bill entitled "An act relative to school district number one, in the town of Palmyra, and county of Wayne ;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Benton, from the same committee, to which was referred the petition of the Schenando manufactory, praying for the passage of an act authorising them to sell the real estate belonging to the said corporation, and also the bill reported by the committee on manufactures, made a report on that subject, which, together with the bill, was committed to a committee of the whole.

[See Document No. 327.]

Mr. Benton, from the same committee, reported, with amendments, two bills from the Assembly, of the following titles, to wit :

"An act to confirm and ratify the purchase and sale of certain real estate, in the county of Genesee :"

"An act to enable Thomas Perry and James Perry, aliens, to take, hold and convey real estate, upon certain conditions therein expressed:"

Which were committed to a committee of the whole.

Mr. Benton, from the same committee, reported, without amendment, two bills from the Assembly, of the following titles, to wit:

"An act to amend the seventh article, of title nine, of chapter nine, of the first part of the Revised Statutes;"

"An act to change the name of Frederick P. Gouverneur:"

Which were committed to a committee of the whole.

Mr. Armstrong, from the committee on roads and bridges, reported, without amendment, the bill from the Assembly, entitled "An act in relation to the Dutchess turnpike company," which was committed to a committee of the whole.

Mr. Beardsley, from the committee on the division of counties and towns, reported with amendments, the bill from the Assembly, entitled "An act to divide the town of Ancram, in the county of Columbia," which was committed to a committee of the whole.

Mr. Wheeler, from the committee on roads and bridges, reported, without amendment, the bill from the Assembly, entitled "An act concerning the state road from Fredonia, in the county of Chautauque, to the Village of Perry, in the county of Genesee," which was committed to a committee of the whole.

Mr. Wheeler from the same committee, on the petition of sundry inhabitants of Rensselaer county, reported a bill entitled "An act to incorporate the Poesten kill turnpike company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Waterman, from the committee on canals, reported, without amendment, the bill from the Assembly, entitled "An act for the relief of Daniel Carswell," which was committed to a committee of the whole.

Mr. McCarty, from the select committee on the bill from the Assembly, entitled "An act to amend the act entitled 'An act providing for the appointment of inspectors of unslaked lime, in the county of Greene,' passed March 17, 1829," reported the same without amendment, which was committed to a committee of the whole.

Mr. Enos, from the select committee on the bill from the Assembly, entitled "An act further to amend 'An act to incorporate the village of Utica,' passed April 7, 1817," reported the same with an amendment, which was committed to a committee of the whole.

Mr. Allen, from the select committee, to which was referred the bill from the Assembly, entitled "An act to amend the charter of the city of New-York," made a report in favor of the passage of the same.

*Ordered*, That said bill and report be committed to a committee of the whole.

[See Document No. 322.]

Mr. McLean, from the committee on literature, reported, without amendment, the bill from the Assembly, entitled "An act to autho-

rise the trustees of Romulus to receive certain monies of David Dey," which was committed to a committee of the whole.

On motion of Mr. Maynard,

*Resolved*, That the Attorney-General report to the Senate, whether in his opinion it would be constitutional for [the legislature to impose on and collect from "the navigable communications between the great western and northern lakes and the Atlantic ocean," any higher rates of tolls; and also to impose and collect any higher or greater duties upon the manufacture of salt, and any higher or greater duties on goods sold at auction, than the rates and duties which existed, were established, imposed and collected at the time of the adoption of the amended constitution; and whether, if the Legislature were to impose higher rates and duties, it would be constitutional for the Legislature to reduce or take off such higher rates and duties, provided no reduction was made of the rates or duties as they existed at the time of the adoption of the said constitution.

Mr. Benton gave notice, that he would hereafter ask leave to bring in a bill for the relief of Charlotte Selby.

Mr. Mather, from the committee on enrolled bills, reported the bill entitled "An act to divide the town of Turin, in the county of Lewis," as correctly engrossed.

Thereupon,

The said engrossed bill was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act further to amend 'An act to incorporate the village of Utica,' passed April 7, 1817;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported the same with amendments; which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

A bill was received from the Assembly for concurrence, entitled "An act to amend 'An act for the establishing a clerk's office of the supreme court in the village of Canandaigua, in the county of Ontario,' passed February 27, 1829;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the deficiency in the revenue of the general fund;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to extend the time for filling up the stock of the National Bank of the city of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Enos,

from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

**THURSDAY, 11 O'CLOCK, A. M.—MARCH 25, 1830.**

The Senate met pursuant to adjournment.

Mr. Maynard presented the petition of sundry inhabitants of the town of Denmark, Lewis county, praying for relief in relation to a certain road; which was read, and referred to the committee on roads and bridges.

Mr. Woodward presented the petition of the president of the Neversink navigation company, praying for further legislative aid; which was read, and referred to the committee on canals.

Mr. Sherman presented the petition of Henry Post and others, inhabitants of the twelfth ward of the city of New-York, praying for certain special powers to be given to the assistant justices of said ward; which was read, and referred to the committee on the judiciary.

Mr. Throop presented the petition of sundry inhabitants of Onondaga county, praying for the appointment of commissioners to lay out a road from Marcellus to Syracuse; which was read, and referred to a select committee, consisting of the members attending the Senate from the seventh senate district.

Mr. Tallmadge presented the petition of sundry inhabitants of Orange county, praying for the incorporation of a company to construct a rail-road from Newburgh to the Delaware river; which was read, and referred to a select committee, consisting of the members attending the Senate from the second senate district.

Mr. Waterman, from the committee on canals, on the petition of S. Sidney Breese and others, reported a bill, entitled "An act to incorporate the Oneida lake canal company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Benton, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act to amend 'An act for the establishing a clerk's office of the supreme court in the village of Canandaigua, in the county of Ontario,' passed February 27, 1829," which was committed to a committee of the whole.

Mr. Wheeler, from the committee on roads and bridges, on the petition of sundry inhabitants of Otsego county, reported a bill entitled "An act to incorporate the Sidney and Unadilla bridge company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Allen, from the committee on banks and insurance companies, to which was referred the bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Mechanics' bank of Buffalo;" and in obedience to the resolution of the Senate passed the 5th March, 1830, made a report on said bill.

*Ordered*, That said bill and report be committed to a committee of the whole.

[See Document No. 338.]

Mr. Allen, from the same committee, on the petition of the commissioners of the Merchants' exchange bank of the city of New-York, reported a bill, entitled "An act to extend the time for filling up the stock of the Merchants' exchange bank of the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Throop, from the select committee, on the petition of sundry inhabitants of Onondaga county, reported, that the committee had prepared a bill, entitled "An act to appoint commissioners to lay out a road from the village of Marcellus to the village of Syracuse, in the county of Onondaga;" which, by leave, was brought in, read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

The bill entitled "An act to authorise the town of North-Hempstead, in the county of Queens, to sell its common lands, and to appoint commissioners for that purpose," was returned from the Assembly, and presented to his honor the Lieutenant-Governor by the clerk.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Charlotte turnpike company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Rensselaer glass manufacturing company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the supervisor of the town of Holland, in the county of Erie, to collect certain monies from his predecessor in office;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act authorising the board of supervisors of Chenango county, to audit and allow certain accounts therein mentioned, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the sixth senate district.

On motion of Mr. Wheeler,

*Ordered*, That when the Senate adjourns, it will adjourn to meet again at 10 o'clock to-morrow morning, and will continue to meet at that hour until otherwise ordered.

Mr. Benton, pursuant to previous notice, asked for and obtained leave to bring in a bill, entitled "An act for the relief of Charlotte Selby."

Thereupon,

Mr. Benton brought in said bill, which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

The bill from the Assembly, entitled "An act further to amend 'An act to incorporate the village of Utica,' passed April 7th, 1817," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |             |              |
|---------------|-------------|--------------|
| Mr. Allen     | Mr. Enos    | Mr. Rexford  |
| Mr. Armstrong | Mr. Gere    | Mr. Sherman  |
| Mr. Beardsley | Mr. Hubbard | Mr. Throop   |
| Mr. Benton    | Mr. Mather  | Mr. Todd     |
| Mr. Boughton  | Mr. Maynard | Mr. Tracy    |
| Mr. Bronson   | Mr. McCarty | Mr. Warren   |
| Mr. Conklin   | Mr. Oliver  | Mr. Waterman |
| Mr. Deitz     | Mr. Porter  | Mr. Wheeler  |

24

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the deficiency in the revenue of the general fund;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Waterman, from the said committee, reported progress, and asked for and obtained leave to sit again.

The bill entitled an act to divide the town of Turin in the county of Lewis," was received from the Assembly, with a message that they had passed the same without amendment, and was presented to his honor the Lieutenant-Governor, by the clerk.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to divide the town of Aneram, in the county of Columbia;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tracy, from the said committee, reported the same with amendments, which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

Then the Senate adjourned until 10 o'clock to-morrow morning.



**FRIDAY, 10 O'CLOCK, A. M.—MARCH 26, 1830.**

The Senate met pursuant to adjournment.

Mr. McCarty presented the remonstrance of Peter E. Elmendorff, against the application of the trustees of the village of Kingston, for an amendment to the act incorporating said village; which was read, and referred to the committee of the whole; when on the bill to which the subject relates.

Mr. Maynard presented the memorial of several ladies of the village of Utica, praying for the incorporation of the Orphan Asylum society of Utica; which was read, and referred to a select committee, consisting of the members attending the Senate from the fifth senate district.

Mr. Warren presented the remonstrance of sundry millers and dealers in flour, against the passage of a law increasing the number of inspectors of flour in the city of New-York; which was read, and referred to the committee on manufactures, and ordered to be printed.

[See Document No. 342.]

Mr. Woodward presented the petition of sundry inhabitants of the county of Ulster, praying for a turnpike incorporation; which was read, and referred to the committee on roads and bridges.

Mr. Woodward also presented the petition of sundry inhabitants of the counties of Sullivan and Ulster, praying for a turnpike incorporation; which was read, and referred to the committee on roads and bridges.

The bill entitled "An act to authorise the circuit judge of the sixth circuit to alter the time for holding his court in said circuit," was received from the Assembly, with a message that they do not concur in the amendment of the Senate to the same.

Thereupon,

**Resolved,** That the Senate do recede from their amendment to said bill.

**Ordered,** That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act for the better regulation of the wharves, piers and slips in the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the first senate district.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act entitled 'An act to incorporate the Cairo bridge company,' passed April 9, 1805," and the several acts amending the same; which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

Two bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act authorising the first judges, or any other judge of the courts of common pleas of the county of Rensselaer and Dutchess, of the degree of counsellor at law in the supreme court, to hold the courts of common pleas in and for those counties :"

"An act relative to the printing of the Revised Statutes :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Hubbard,

*Resolved*, That the commissioners of the land-office report to the Senate, the reason for raising the appraisal on lot number fourteen, Oneida creek tract, New-Stockbridge, the right to the purchase of which was ceded to Elias Rudo, by the certificate of the Surveyor-General, in the month of March, 1826 ; and also the amount which has been paid on said lot.

On motion of Mr. Armstrong,

*Ordered*, That the committee on roads and bridges be discharged from the further consideration of the petition of the Florida bridge company, and that the same be referred to the canal commissioners.

On motion of Mr. Warren,

*Ordered*, That the petition of Edmond C. Genet, presented to the Senate on the 24th instant, be referred to the committee on the judiciary, and that the same be printed.

[See Document No. 336.]

The bill from the Assembly, entitled "An act to divide the town of Ancram, in the county of Columbia," with the engrossed amendments, was read the third time and passed.

*Ordered*, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the deficiency in the revenue of the general fund ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to extend the time for filling up the stock of the National bank of the city of New-York ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Enos, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Saratoga county bank ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported the

same without amendment ; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend the seventh title, of the fourteenth chapter, of the first part of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Allen, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Hudson river bank;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend the act entitled 'An act to erect the town of Lawrence, in the county of St. Lawrence, passed April 21, 1828,'" and after some time spent thereon, Mr. President resumed the chair, and Mr. Eaton, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising John Light, and Henry Light, to erect a dam in the Susquehannah river;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

Then the Senate adjourned until 10 o'clock to-morrow morning.

**SATURDAY, 10 O'CLOCK, A. M.—MARCH 27, 1830.**

The Senate met pursuant to adjournment.

Mr. Porter presented the petition of sundry inhabitants of the town of Ellicottsville, in the county of Cattaraugus, praying for a law to authorise the expenditure of two hundred and fifty dollars of the monies belonging to the fund for the support of the poor of said town, in improving the roads and bridges therein; which was read, and referred to a select committee, consisting of the members attending the Senate from the second senate district.

Mr. Woodward, from the committee on manufactures, reported, without amendment, the bill from the Assembly, entitled "An act to incorporate the Rensselaer glass manufacturing company," which was committed to a committee of the whole.

Mr. Waterman, from the committee on canals, reported, with amendments, the bill from the Assembly, entitled "An act relative to the Fort-Miller dam, and the assessment and payment of damages," which was committed to a committee of the whole.

Mr. Wheeler, from the committee on roads and bridges, on the petition of the president and directors of the Great-Island turnpike company, reported a bill entitled "An act relative to the Great-Island turnpike company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Wheeler, from the same committee, reported, without amendment, the bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the Cairo bridge company,' passed April 9, 1805," and the several acts amending the same, which was committed to a committee of the whole.

Mr. Maynard, from the select committee, on the memorial of sundry ladies of Utica, reported, that the committee had prepared a bill, entitled "An act to incorporate the orphan asylum society, in the village of Utica;" which, by leave, was brought in, read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Two messages from his honor the Lieutenant-Governor, delivered by his private secretary, were read, in the words following, to wit:

#### TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act concerning the clerk's office in the county of Queens."

Also the bill entitled "An act authorising an additional amount of money to be raised by tax for roads and bridges in the town of Sodus."

E. T. THROOP.

*Albany, March 24, 1830.*

#### TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to authorise the town of North-Hempstead, in the county of Queens, to sell its common lands, and to appoint commissioners for that purpose."

Also the bill entitled "An act to divide the town of Turin, in the county of Lewis."

E. T. THROOP.

*Albany, March 25, 1830.*

A report was received from the canal commissioners, on the petition of the president and directors of the Florida bridge company, which was read, and together with the petition, referred to the committee on roads and bridges.

[See Document No. 340.]

The bill entitled "An act to divide the town of Ancram in the county of Columbia," was received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

*Ordered*, That the clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to erect the town of Hamptonburgh, in the county of Orange;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of counties and towns.

A bill was received from the Assembly for concurrence, entitled "An act authorising and requiring the supervisors of the city and county of Albany to raise certain monies for the erection of a building in the city of Albany, for city and county purposes;" which was read the first time, and by unanimous consent was also read a second time, and committed to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to increase the number of collectors for the town of Brooklyn, in the county of Kings; which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the first senate district.

A bill was received from the Assembly for concurrence, entitled "An act authorising the supervisors of the county of St. Lawrence to lay a tax on the inhabitants of the town of Potsdam, to build a bridge across the Racket river, in the village of Potsdam;" which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee, consisting of the members attending the Senate from the fourth Senate district.

On motion of Mr. Conklin,

*Resolved*, That the committee on finance be instructed to inquire into the propriety of authorising the receiver of the profits of the state pier at Sagg-Harbor, to expend such parts of the said receipts as may be necessary to keep the same in repair; and also, whether it is not necessary to regulate by legislative enactment, the price of wharfage, and other matters relative to the said pier; and that they have leave to report by bill or otherwise.

Mr. Tallmadge gave notice, that he would hereafter ask leave to introduce a bill relative to vacancies in the office of justice of the peace in certain cases.

The bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Saratoga county bank;" was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

#### FOR THE AFFIRMATIVE.

Mr. Allen  
Mr. Armstrong  
Mr. Beardsley  
Mr. Benton

Mr. Enos  
Mr. Gere  
Mr. Mather  
Mr. McCarty

Mr. Sherman  
Mr. Tallmadge  
Mr. Throop  
Mr. Todd

|             |             |              |
|-------------|-------------|--------------|
| Mr. Bronson | Mr. McLean  | Mr. Warren   |
| Mr. Conklin | Mr. Oliver  | Mr. Waterman |
| Mr. Deitz   | Mr. Rexford | Mr. Wheeler  |
| Mr. Eaton   | Mr. Schenck | Mr. Woodward |

24

FOR THE NEGATIVE.

|              |            |           |
|--------------|------------|-----------|
| Mr. Boughton | Mr. Porter | Mr. Tracy |
| Mr. Maynard  |            |           |

4

The bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Hudson river bank," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit

FOR THE AFFIRMATIVE.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Gere    | Mr. Schenck   |
| Mr. Armstrong | Mr. Hubbard | Mr. Sherman   |
| Mr. Beardsley | Mr. Mather  | Mr. Tallmadge |
| Mr. Benton    | Mr. Maynard | Mr. Throop    |
| Mr. Bronson   | Mr. McCarty | Mr. Todd      |
| Mr. Conklin   | Mr. McLean  | Mr. Warren    |
| Mr. Deitz     | Mr. Oliver  | Mr. Waterman  |
| Mr. Eaton     | Mr. Porter  | Mr. Wheeler   |
| Mr. Enos      | Mr. Rexford | Mr. Woodward  |

27

FOR THE NEGATIVE.

|              |           |
|--------------|-----------|
| Mr. Boughton | Mr. Tracy |
|--------------|-----------|

2

The bill from the Assembly, entitled "An act to amend the act entitled 'An act to erect the town of Lawrence, in the county of St. Lawrence,' passed April 21, 1828," was read the third time and passed.

The bill from the Assembly, entitled "An act authorising John Light and Henry Light to erect a dam in the Susquehannah river," was read the third time and passed.

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same severally, without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the deficiency in the revenue of the general fund;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend the charter of the city of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Bronson, from the said com-

mittee, reported the same with an amendment; which report was agreed to by the Senate, and the amendment ordered to be engrossed, and the bill to a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to extend the time for filling up the stock of the National bank of the city of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Enos, from the said committee, reported the same with amendments; which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Then the Senate adjourned until 10 o'clock on Monday morning next.

**MONDAY, 10 O'CLOCK, A. M.—MARCH 29, 1830.**

The Senate met pursuant to adjournment.

Mr. Woodward presented the petition of sundry inhabitants of the village of Monticello, Sullivan county, praying for an act to incorporate a fire company in said village; which was read, and referred to a select committee, consisting of the members attending the Senate from the second senate district.

Mr. Warren presented the petition of sundry physicians and others, praying for the establishment of a medical school and hospital in the city of Albany; which was read, and referred to the committee on literature.

Mr. Rexford presented the petition of sundry inhabitants of Delaware county, praying for a grant of land for the purpose of constructing a road; which was read, and referred to the committee on finance.

Mr. Woodward, from the committee on manufactures, to which was referred the petition of sundry flour merchants in the city of New-York; also a remonstrance from sundry millers and flour merchants in the city of Albany, relating to the same subject, made a favorable report on said petition, and brought in a bill entitled "An act directing the appointment of two additional inspectors of flour and meal in the city of New-York, and regulating the inspection thereof;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole, and ordered to be printed.

[See Document No. 341.]

Mr. Waterman, from the committee on canals, to whom was referred the petition of Otto Wm. Van Tuyt, president of the Never-sink navigation company, praying for a further loan from the state, to enable said company to complete the improvement of the naviga-

tion of the Neversink river, made a report against the same, concluding with the following resolutions :

*Resolved*, That the prayer of the petitioner be denied.

*Resolved*, (if the honorable the Assembly concur herein,) That the Attorney-General proceed forthwith to investigate the question, as to the legal liabilities of the obligors, to the bond executed to the state, in pursuance of the act entitled "An act to loan the credit of the people of the state of New-York to the president, directors and company of the Neversink navigation company, passed April 18, 1828," and to prosecute the same for the recovery of any monies forfeited to the state thereupon, if in his judgment such suit can be successfully maintained.

Which were agreed to by the Senate.

*Ordered*, That the clerk deliver a copy of the last of said resolutions to the Assembly.

[See Document No. 358.]

Mr. Conklin, from the select committee on the bill from the Assembly, entitled "An act to increase the number of collectors for the town of Brooklyn, in the county of Kings," reported the same without amendment, which was committed to a committee of the whole.

Mr. Tallmadge, from the select committee on the bill from the Assembly, entitled "An act to incorporate a fire company at Fish-kill landing, in the county of Dutchess," reported the same without amendment, which was committed to a committee of the whole.

Mr. Tallmadge, from the select committee, on the petition of sundry inhabitants of Orange county, reported that the committee had prepared a bill, entitled "An act to incorporate the Hudson and Delaware rail-road company;" which, by leave, was brought in, read the first time, and by unanimous consent was also read the second time, and committed to a committee of the whole, and ordered to be printed.

Mr. McLean, from the select committee on the bill from the Assembly, entitled "An act authorising the supervisors of the county of St. Lawrence, to levy a tax on the inhabitants of the town of Potsdam, to build a bridge across the Racket river, in the village of Potsdam," reported the same without amendment, which was committed to a committee of the whole.

Mr. Hubbard, from the select committee on the bill from the Assembly, entitled "An act authorising the board of supervisors of Chenango county, to audit and allow certain accounts therein mentioned, and for other purposes," reported the same without amendment, which was committed to a committee of the whole.

Mr. Conklin, from the select committee, on the petition of the Long-Island sound harbor company, for an act of incorporation, and also for a loan of the credit of the state, reported that the committee had prepared a bill entitled "An act to loan the credit of the state to the Long Island sound harbor company;" which, by leave was brought in, read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole, and ordered to be printed.



Mr. Porter, from the select committee, on the petition of sundry inhabitants of the town of Ellicottsville, Cattaraugus county, reported, that the committee had prepared a bill entitled "An act authorising and requiring the overseers of the poor of the town of Ellicottsville, to pay over certain monies in their hands, to the commissioners of highways of said town;" which, by leave, was brought in, read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

A message was received from his honor the Lieutenant-Governor, delivered by his private secretary, relative to the trial of one of the causes on the Astor claim; which was read, and referred to the committee on the judiciary, and fifty, in addition to the usual number of copies ordered to be printed for the use of the Senate.

[See Document No. 347.]

A report was received from the Attorney-General, on a resolution of the Senate of the 24th instant, relative to the tolls on the canals, and the salt and auction duties; which was read, and referred to the committee of the whole, when on the bill entitled "An act to provide for the deficiency in the revenue of the general fund."

[See Document No. 344.]

The bill entitled "An act further to amend 'An act to incorporate the village of Utica,' passed April 17th, 1817," was received from the Assembly, with a message that they had concurred in all the amendments of the Senate to the same, excepting to the amendment of the first section thereof, in which they non-concur.

Thereupon,

*Resolved*, That the Senate do recede from their amendment to said bill, not concurred in by the Assembly.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

The bill entitled "An act to alter the terms of the courts of common pleas and general sessions in Ulster county," was received from the Assembly, with a message that they had passed the same, with the amendments therewith delivered.

The said amendments having been read:

*Resolved*, That the Senate do concur with the Assembly in their amendments to said bill.

*Ordered*, That the clerk deliver said bill and a copy of said resolution to the Assembly.

The bill entitled "An act for the relief of the bank for savings in the city of New-York," was received from the Assembly, with a message that they had passed the same without amendment, which was presented to his honor the Lieutenant-Governor by the clerk.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Utica cotton printing company;" which was read the first time, and by unanimous consent was also

read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act to enable Francis Atkinson, Thomas Atkinson, George Atkinson, and William Atkinson, to hold and convey real estate," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the supervisors of the county of Rensselaer to raise a tax to complete the court-house in said county;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the third senate district.

On motion of Mr. Warren,

*Ordered*, That the committee on the division of counties and towns be discharged from the further consideration of the bill from the Assembly, entitled "An act to erect the town of Hamptonburgh, in the county of Orange," and that the same be referred to a select committee, consisting of Mr. Todd, Mr. Rexford and Mr. Tallmadge.

The Senate then took up the consideration of the resolution reported to the Senate on the 23d instant, by the select committee on so much of the message of his honor the Lieutenant-Governor, as relates to the claims of this state against the United States; which was amended and agreed to, in the words following, to wit:

*Resolved*, (if the Assembly concur herein,) That the Comptroller be, and he is hereby required, to arrange the accounts and vouchers, for disbursements made by the state of New-York, on account of the late war, and forward the same to the delegation in Congress from this state, and request them to procure the passage of a law by Congress, for the settlement of said accounts upon just and equitable principles.

And also that the Governor be requested to instruct the Commissary-General to bring to a final settlement, the ordnance or property account between the state of New-York and the United States; and receive payment from the latter, in such ordnance, arms and military stores as may be most useful in arming and equipping the militia of this state.

*Ordered*, That the clerk deliver a copy of said resolution to the Assembly.

Mr. Tallmadge, pursuant to previous notice, asked for and obtained leave to bring in a bill entitled "An act to provide for filling vacancies in the office of justice of the peace, in certain cases."

Thereupon,

Mr. Tallmadge brought in said bill, which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary, and ordered to be printed.

Mr. Conklin asked for and obtained leave of absence for Mr. Sherman, for five days.

Mr. Mather, from the committee on enrolled bills, reported the bill entitled "An act to extend the time for filling up the stock of the National bank of the city of New-York," as correctly engrossed.

Thereupon,

The said engrossed bill was read the third time, and the question on its final passage ordered to be laid on the table.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the deficiency in the revenue of the general fund;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported progress, and asked for and obtained leave to sit again.

A bill was received from the Assembly for concurrence, entitled "An act to increase the number of constables in the town of Manlius;" which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

The bill entitled "An act to empower the commissioners of the land-office to grant certain lands," was received from the Assembly, with a message that they had passed the same without amendment, which was presented to his honor the Lieutenant-Governor, by the clerk.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend the seventh title, of the fourteenth chapter, of the first part of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Woodward, from the said committee, reported that the committee had disagreed to the first and only section of said bill.

*Ordered*, That said report be laid on the table.

Then the Senate adjourned until 10 o'clock to-morrow morning.

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## **TUESDAY, 10 O'CLOCK, A. M.—MARCH 30, 1830.**

The Senate met pursuant to adjournment.

Mr. Benton presented the petition of Nathan Underwood, praying for relief, which was read, and referred to the committee on finance.

Mr. Benton, from the committee on banks and insurance companies, reported, without amendment, seven bills from the Assembly, of the following titles, to wit:

"An act to extend for a limited period, the charter of the Merchants' bank, in the city of New-York:"

"An act to extend for a limited period, the charter of the Bank of New-York, in the city of New-York:"

"An act to extend for a limited period, the charter of the Phoenix bank, in the city of New-York:"

"An act to extend for a limited period, the charter of the Tradesmen's bank in the city of New-York:"

"An act to extend for a limited period, the charter of the Bank of America, in the city of New-York:"

"An act to extend for a limited period, the charter of the City bank of New-York :"

"An act to extend for a limited period, the charter of the Union bank, in the city of New-York :"

Which were committed to a committee of the whole.

Mr. Benton, from the committee on the judiciary, reported, without amendment, four bills from the Assembly, of the following titles, to wit :

"An act to enable Francis Atkinson, Thomas Atkinson, George Atkinson and William Atkinson, to hold and convey real estate :"

"An act authorising and requiring the supervisors of the city and county of Albany, to raise certain monies for the erection of a building in the city of Albany, for city and county purposes :"

"An act authorising the first judges or any other judge of the court of common pleas of the counties of Rensselaer and Dutchess, of the degree of counsellor at law in the supreme court, to hold the courts of common pleas in and for those counties :"

"An act for the relief of William Frazer :"

Which were committed to a committee of the whole.

Mr. Armstrong, from the committee on roads and bridges, on the petition of the Florida bridge company, and the report of the canal commissioners on the same, reported a bill entitled "An act to amend an act entitled 'An act to incorporate the Florida bridge company,' passed January 30, 1828," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Warren, from the select committee on the bill from the Assembly, entitled "An act to authorise the supervisors of the county of Rensselaer to raise a tax to complete the court-house in said county," reported the same without amendment, which was committed to a committee of the whole.

Mr. Woodward, from the select committee, on the petition of sundry inhabitants of the village of Monticello, Sullivan county, reported that the committee had prepared a bill, entitled "An act to vest certain privileges in the freeholders and inhabitants of the village of Monticello, in the county of Sullivan ;" which, by leave, was brought in, read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

A report was received from the commissioners of the land-office, relative to lot number fourteen, Oneida creek tract, in New-Stock-bridge ; which was read, and referred to the committee on claims.

[See Document No. 349.]

A bill was received from the Assembly for concurrence, entitled "An act authorising the appointment of an additional inspector of lumber for the city of Albany ;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the third senate district.

A bill was received from the Assembly for concurrence, entitled "An act authorising Henry Stephens to erect a dam across the

Tioughnioga river ;" which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee, consisting of the members attending the Senate from the sixth Senate district.

The Senate then took up the consideration of the report of the committee of the whole, on the bill from the Assembly, entitled "An act to amend the seventh title, of the fourteenth chapter, of the first part of the Revised Statutes," which report was against the same.

Thereupon,

Mr. Enos made a motion to amend said report, by inserting two sections, in the words following, to wit :

"All that part of section twenty-second, of title seventh, of chapter fourteenth, of the first part of the Revised Statutes, after the words 'such practice,' at the end of the third line, be and the same is hereby repealed."

"Every person, not authorised by law, who shall practice physie or surgery within this state, shall, for each offence, of which he may be duly convicted, forfeit and pay a sum not exceeding twenty-five dollars, to be recovered with costs of suit before any justice of the peace of the county where such penalty shall be incurred, by any person who will prosecute for the same ; and the justice before whom such conviction shall be had, shall pay the same to the overseers of the poor of the town where such conviction shall be had, for the use of the poor of such town, or of the county poor, where the distinction between town and county poor shall have been abolished : but the provisions of this section shall not be deemed and taken to extend to, or debar any person from using or applying for the benefit of any sick person, any roots, bark or herbs, the growth or produce of the United States."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, ere was follows, to wit :

#### FOR THE AFFIRMATIVE.

|               |             |              |    |
|---------------|-------------|--------------|----|
| Mr. Armstrong | Mr. Enos    | Mr. Throop   |    |
| Mr. Benton    | Mr. Gere    | Mr. Tracy    |    |
| Mr. Boughton  | Mr. Maynard | Mr. Warren   |    |
| Mr. Conklin   | Mr. Oliver  | Mr. Waterman |    |
| Mr. Deitz     | Mr. Porter  | Mr. Wheeler  |    |
| Mr. Eaton     | Mr. Rexford | Mr. Woodward | 18 |

#### FOR THE NEGATIVE.

|               |            |          |   |
|---------------|------------|----------|---|
| Mr. Beardsley | Mr. Mather | Mr. Todd | 5 |
| Mr. Hubbard   | Mr. McLean |          |   |

Thereupon,

After amending the title so as to read "An act concerning the practice of physic and surgery in this state," the Senate agreed to the report of the committee of the whole as amended, and the amendments were ordered to be engrossed, and the bill to a third reading.

On motion of Mr. Warren,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to increase the number of collectors for the town of Brooklyn, in the county of Kings;" and that the same be ordered to a third reading.

Mr. Benton made a motion, that the several bills from the Assembly, to extend for a limited period, the charters of sundry banks in the city of New-York, which were this day reported to the Senate by the committee on banks and insurance companies, be made the special order of the day for to-day.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

|               |             |              |    |
|---------------|-------------|--------------|----|
| Mr. Armstrong | Mr. Enos    | Mr. Throop   |    |
| Mr. Beardsley | Mr. Gere    | Mr. Todd     |    |
| Mr. Benton    | Mr. Hubbard | Mr. Warren   |    |
| Mr. Bronson   | Mr. McLean  | Mr. Waterman |    |
| Mr. Eaton     | Mr. Oliver  | Mr. Wheeler  | 15 |

FOR THE NEGATIVE.

|              |             |              |   |
|--------------|-------------|--------------|---|
| Mr. Boughton | Mr. Mather  | Mr. Rexford  |   |
| Mr. Conklin  | Mr. Maynard | Mr. Tracy    |   |
| Mr. Deitz    | Mr. Porter  | Mr. Woodward | 9 |

The bill from the Assembly, entitled "An act to increase the number of constables in the town of Manlius," was read the third time and passed.

The bill from the Assembly, entitled "An act to increase the number of collectors for the town of Brooklyn, in the county of Kings," was read the third time and passed.

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An an act to provide for the deficiency in the revenue of the general fund;" and after some time spent thereon, Mr. President resumed the chair, and Mr. McLean, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend 'An act for  
[SENATE JOURNAL.] C 2

establishing a clerk's office of the supreme court in the village of Canandaigua, in the county of Ontario,' passed February 27, 1829;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported the same without amendment; which report was again read in the words following, to wit:

"The clerk of the said court at Canandaigua, shall on the tenth day of April next, remove to and keep the said supreme court clerk's office at Geneva, in the county of Ontario.

"The sheriffs of the counties of Tompkins and Tioga, shall, after the tenth day of April next, return all process issued out of the supreme court, to the said office at Geneva, as other sheriffs are required to do by the fifth section of the act hereby amended.

"So much of the act hereby amended as is inconsistent with the provisions of this act, are hereby repealed."

Mr. President put the question on agreeing to the same, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

#### FOR THE AFFIRMATIVE.

|               |             |               |    |
|---------------|-------------|---------------|----|
| Mr. Armstrong | Mr. Eaton   | Mr. Tallmadge |    |
| Mr. Beardsley | Mr. Enos    | Mr. Throop    |    |
| Mr. Benton    | Mr. Gere    | Mr. Todd      |    |
| Mr. Bronson   | Mr. Hubbard | Mr. Warren    |    |
| Mr. Conklin   | Mr. McLean  | Mr. Wheeler   |    |
| Mr. Deitz     | Mr. Rexford | Mr. Woodward  | 18 |

#### FOR THE NEGATIVE.

|              |             |           |   |
|--------------|-------------|-----------|---|
| Mr. Boughton | Mr. Maynard | Mr. Tracy |   |
| Mr. Mather   | Mr. Porter  |           | 5 |

Thereupon,

The said bill was ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to extend for a limited period, the charter of the Merchants' bank, in the city of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tracy, from the said committee, reported the same, with amendments; which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

Then the Senate adjourned until 10 o'clock to-morrow morning.

**WEDNESDAY, 10 O'CLOCK, A. M.—MARCH 31, 1830.**

The Senate met pursuant to adjournment.

Mr. Benton presented the petition of sundry inhabitants of the city of New-York, praying for the passage of a law exempting certain officers and soldiers of the revolutionary army from imprisonment in certain cases; which was read, and referred to the committee on the judiciary.

Mr. Warren, from the select committee on the bill from the Assembly, entitled "An act authorising the appointment of an additional inspector of lumber for the city of Albany," reported the same without amendment, which was committed to a committee of the whole.

A message from his honor the Lieutenant-Governor, delivered by his private secretary, was read in the words following, to wit:

**TO THE SENATE.**

**GENTLEMEN,**

I have this day approved and signed the bill entitled "An act for the relief of the Bank for savings, in the city of New-York."

Also the bill entitled "An act to empower the commissioners of the land-office to grant certain lands."

**E. T. THROOP.**

*Albany, March 29, 1830.*

A report was received from the commissioners of the canal fund, relative to the amount of damages awarded to the owners of lands in the valley of Wood creek, for injuries done by the Champlain canal; which was read, and referred to the committee on canals.

[See Document No. 360.]

A communication from Peter B. Porter, resigning the office of Regent of the University, was received and read in the words following, to wit:

**BLACK-ROCK, MARCH 24th, 1830.**

*To the President of the Senate,  
and Speaker of the Assembly:*

**GENTLEMEN,**

I beg leave to tender through you, to the Legislature of the state of New-York, by whom the appointment was conferred, my resignation of the office of a Regent of the University, which I have had the honor to hold for several years past.

I am induced to this step, in consideration, solely, of the distance at which I reside from the seat of government, where the meetings and deliberations of the board of Regents are held; and which, I



find, puts it out of my power to discharge the duties of the office in such a manner as to meet the just expectations of the public, or be satisfactory to myself.

I have the honor to be, very respectfully,  
Your obedient servant,

P. B. PORTER.

A copy of a resolution from the Assembly, was read, informing that they had concurred in the resolution of the Senate of the 29th inst, directing the Attorney-General to proceed forthwith to investigate the legal liabilities of the obligors to the bond executed to the state, in pursuance of the act entitled "An act to loan the credit of the people of the state of New-York to the president, directors and company of the Neversink navigation company," passed April 15, 1828."

A copy of a resolution from the Assembly was received, informing that they had concurred in the resolution of the Senate of the 29th instant, relative to the accounts between this state and the United States.

The bill entitled "An act to alter the terms of the courts of common pleas and general sessions in Ulster county," was returned from the Assembly, and presented to his honor the Lieutenant-Governor by the clerk.

The bill entitled "An act in relation to certain public lands in the village of Oswego," was received from the Assembly, with a message that they had passed the same without amendment, which was presented to his honor the Lieutenant-Governor by the clerk.

Two bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act to authorise Solomon Roosa to build a bridge over the Esopus creek :"

"An act authorising Josiah Le Count to erect a dock in the town of New-Rochelle :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the members attending the Senate from the second senate district.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to incorporate the Cayuga lake and inlet steam-boat company,' passed February 25, 1828," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the seventh senate district.

Mr. Warren asked for and obtained leave of absence for Mr. McCarty, for eight days.

The bill from the Assembly, entitled "An act concerning the practice of physic and surgery in this state," with the engrossed amendments, was read the third time and passed.

The yeas and nays being moved and seconded, were as follows, to wit :

## FOR THE AFFIRMATIVE.

|               |             |              |
|---------------|-------------|--------------|
| Mr. Armstrong | Mr. Gere    | Mr. Throop   |
| Mr. Benton    | Mr. Mather  | Mr. Tracy    |
| Mr. Boughton  | Mr. Maynard | Mr. Warren   |
| Mr. Deitz     | Mr. Oliver  | Mr. Wheeler  |
| Mr. Eaton     | Mr. Porter  | Mr. Woodward |
| Mr. Enos      | Mr. Rexford |              |

17

## FOR THE NEGATIVE.

|               |             |          |
|---------------|-------------|----------|
| Mr. Beardsley | Mr. Hubbard | Mr. Todd |
| Mr. Bronson   | Mr. McLean  |          |

5

*Ordered,* That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act to amend 'An act for establishing a clerk's office of the supreme court in the village of Canandaigua, in the county of Ontario,' passed February 27, 1829," was read the third time and passed.

The yeas and nays being moved and seconded, were as follows, to wit :

## FOR THE AFFIRMATIVE.

|               |             |              |
|---------------|-------------|--------------|
| Mr. Armstrong | Mr. Enos    | Mr. Throop   |
| Mr. Beardsley | Mr. Gere    | Mr. Todd     |
| Mr. Benton    | Mr. Hubbard | Mr. Warren   |
| Mr. Bronson   | Mr. McLean  | Mr. Wheeler  |
| Mr. Deitz     | Mr. Rexford | Mr. Woodward |
| Mr. Eaton     |             |              |

16

## FOR THE NEGATIVE.

|              |             |           |
|--------------|-------------|-----------|
| Mr. Boughton | Mr. Maynard | Mr. Tracy |
| Mr. Mather   | Mr. Porter  |           |

5

*Ordered,* That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then resolved itself into a committee of the whole, on the following bills from the Assembly, to wit :

"An act to extend for a limited period, the charter of the Bank of New-York, in the city of New-York :"

"An act to extend for a limited period, the charter of the Phoenix bank, in the city of New-York :"

"An act to extend for a limited period, the charter of the Tradesmen's bank in the city of New-York :"

"An act to extend for a limited period, the charter of the Bank of America, in the city of New-York :"

"An act to extend for a limited period, the charter of the City bank of New-York :"

"An act to extend for a limited period, the charter of the Union bank, in the city of New-York :"

And after some time spent thereon, Mr. President resumed the chair, and Mr. McLean, from the said committee, reported the said bills, severally, with amendments ; which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bills to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the president, directors and company of Livingston county bank ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Mather, from the said committee, reported the same without amendment ; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to extend the time for filling up the stock of the Bank of Whitehall ;" and the bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Mechanics' bank of Buffalo ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported the said bill entitled "An act to extend the time for filling up the stock of the Bank of Whitehall," without amendment ; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Hubbard also reported the said bill entitled "An act to incorporate the president, directors and company of the Mechanics' bank of Buffalo," without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the deficiency in the revenue of the general fund ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. McLean, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act relating to the inspection of pot and pearl ashes in the city and county of Albany ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Mather, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to extend the time for filling up the stock of the Merchants' exchange bank of the city of New-York ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported the same without amendment ; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the Schenectady fire insurance company in the city of Schenectady;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

Then the Senate adjourned until 10 o'clock to-morrow morning.

**THURSDAY, 10 O'CLOCK, A. M.—APRIL 1, 1830.**

The Senate met pursuant to adjournment.

Mr. Allen presented the remonstrance of sundry millers and dealers in flour, against any alteration in the law concerning the inspection of flour; which was read, and committed to a committee of the whole, when on the bill to which the subject relates.

Mr. Wheeler, from the committee on roads and bridges, on the petition of sundry inhabitants of the counties of Sullivan and Ulster, reported a bill entitled "An act to incorporate the Woodbourne and Ellenville turnpike company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Wheeler, from the same committee, on the petition of sundry inhabitants of Ulster county, reported a bill entitled "An act to incorporate the Ellenville and Shawangunk turnpike company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Hubbard, from the committee on claims, on the petition of Elias Rudo, and the report of the commissioners of the land-office, reported a bill entitled "An act for the relief of Elias Rudo;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Throop, from the select committee on the bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the Cayuga lake and inlet steam-boat company,' passed February 25th, 1828," reported the same without amendment, which was committed to a committee of the whole.

Mr. Todd, from the select committee on the bill from the Assembly, entitled "An act to erect the town of Hamptonburgh, in the county of Orange," reported against the passage of the same, which was committed to a committee of the whole.

Mr. Wheeler, from the select committee on the bill from the Assembly, entitled "An act authorising Henry Stephens to erect a dam across the Tioughnioga river," reported the same without amendment, which was committed to a committee of the whole.

Thereupon,

The said engrossed bill was read the third time, and the question on its final passage ordered to be laid on the table.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the deficiency in the revenue of the general fund;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported progress, and asked for and obtained leave to sit again.

A bill was received from the Assembly for concurrence, entitled "An act to increase the number of constables in the town of Manlius;" which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

The bill entitled "An act to empower the commissioners of the land-office to grant certain lands," was received from the Assembly, with a message that they had passed the same without amendment, which was presented to his honor the Lieutenant-Governor, by the clerk.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend the seventh title, of the fourteenth chapter, of the first part of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Woodward, from the said committee, reported that the committee had disagreed to the first and only section of said bill.

*Ordered*, That said report be laid on the table.

Then the Senate adjourned until 10 o'clock to-morrow morning.

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**TUESDAY, 10 O'CLOCK, A. M.—MARCH 30, 1830.**

The Senate met pursuant to adjournment.

Mr. Benton presented the petition of Nathan Underwood, praying for relief, which was read, and referred to the committee on finance.

Mr. Benton, from the committee on banks and insurance companies, reported, without amendment, seven bills from the Assembly, of the following titles, to wit:

"An act to extend for a limited period, the charter of the Merchants' bank, in the city of New-York:"

"An act to extend for a limited period, the charter of the Bank of New-York, in the city of New-York:"

"An act to extend for a limited period, the charter of the Phoenix bank, in the city of New-York:"

"An act to extend for a limited period, the charter of the Tradesmen's bank in the city of New-York:"

"An act to extend for a limited period, the charter of the Bank of America, in the city of New-York:"

"An act to extend for a limited period, the charter of the City bank of New-York :"

"An act to extend for a limited period, the charter of the Union bank, in the city of New-York :"

Which were committed to a committee of the whole.

Mr. Benton, from the committee on the judiciary, reported, without amendment, four bills from the Assembly, of the following titles, to wit :

"An act to enable Francis Atkinson, Thomas Atkinson, George Atkinson and William Atkinson, to hold and convey real estate :"

"An act authorising and requiring the supervisors of the city and county of Albany, to raise certain monies for the erection of a building in the city of Albany, for city and county purposes :"

"An act authorising the first judges or any other judge of the court of common pleas of the counties of Rensselaer and Dutchess, of the degree of counsellor at law in the supreme court, to hold the courts of common pleas in and for those counties :"

"An act for the relief of William Frazer :"

Which were committed to a committee of the whole.

Mr. Armstrong, from the committee on roads and bridges, on the petition of the Florida bridge company, and the report of the canal commissioners on the same, reported a bill entitled "An act to amend an act entitled 'An act to incorporate the Florida bridge company,' passed January 30, 1828," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Warren, from the select committee on the bill from the Assembly, entitled "An act to authorise the supervisors of the county of Rensselaer to raise a tax to complete the court-house in said county," reported the same without amendment, which was committed to a committee of the whole.

Mr. Woodward, from the select committee, on the petition of sundry inhabitants of the village of Monticello, Sullivan county, reported that the committee had prepared a bill, entitled "An act to vest certain privileges in the freeholders and inhabitants of the village of Monticello, in the county of Sullivan ;" which, by leave, was brought in, read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

A report was received from the commissioners of the land-office, relative to lot number fourteen, Oneida creek tract, in New-Stock-bridge ; which was read, and referred to the committee on claims.

[See Document No. 349.]

A bill was received from the Assembly for concurrence, entitled "An act authorising the appointment of an additional inspector of lumber for the city of Albany ;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the third senate district.

A bill was received from the Assembly for concurrence, entitled "An act authorising Henry Stephens to erect a dam across the

Mr. Woodward made a motion that the unfinished business and general orders of the day be laid upon the table, for the purpose of going into a committee of the whole on the bill from the Assembly, entitled "An act to erect the town of Hamptonburgh, in the county of Orange."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |              |              |
|---------------|--------------|--------------|
| Mr. Allen     | Mr. Enos     | Mr. Oliver   |
| Mr. Armstrong | Mr. Gere     | Mr. Porter   |
| Mr. Bronson   | Mr. Hubbard  | Mr. Tracy    |
| Mr. Conklin   | Mr. Mather   | Mr. Warren   |
| Mr. Deitz     | Mr. Maynard  | Mr. Woodward |
| Mr. Eaton     | Mr. McMartin |              |

17

**FOR THE NEGATIVE.**

|               |               |            |
|---------------|---------------|------------|
| Mr. Beardsley | Mr. McLean    | Mr. Throop |
| Mr. Benton    | Mr. Rexford   | Mr. Todd   |
| Mr. Boughton  | Mr. Tallmadge |            |

8

The Senate then resolved itself into a committee of the whole, on said bill; and after some time spent thereon, Mr. President resumed the chair, and Mr. Tracy, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the deficiency in the revenue of the general fund;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported the same with amendments.

*Ordered*, That said report be laid on the table.

A copy of a resolution from the Assembly was read, informing that they had concurred in the amendment of the Senate to the resolution, that the legislature will to-morrow, at 12 o'clock at noon, proceed to the choice of a Regent of the University.

A copy of a resolution from the Assembly, was read in the words following, to wit:

*Resolved*, (if the Senate concur herein,) That this Legislature will adjourn on Tuesday, the 20th day of April, instant.

*Ordered*, That said resolution be laid on the table.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising the sale of certain lands in the mine reservation, in the county of Cayuga;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Beardsley, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to loan money to the county of Cattaraugus;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Rexford, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Ontario high school;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Maynard, from the said committee, reported the same with an amendment; which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

*Ordered*, That Mr. Eaton be added to the committee on expiring laws, in the place of Mr. Hayden, deceased.

*Ordered*, That Mr. Maynard be added to the select committee on so much of the message of his honor the Lieutenant-Governor, as relates to primary schools and benevolent institutions in the city of New-York, in the place of Mr. Hayden, deceased.

Then the Senate adjourned until 10 o'clock to-morrow morning.

### FRIDAY, 10 O'CLOCK, A. M.—APRIL 2, 1830.

The Senate met pursuant to adjournment.

Mr. McMartin presented the petition of John C. House and Conrath House, heirs at law of Christian House, praying compensation for revolutionary services; which was read, and referred to the committee on claims.

Mr. Allen presented the petition of Cornelius Dubois and others, praying that an act may be passed exempting the soldiers and officers of the revolutionary army from imprisonment for debt; which was read, and referred to the committee on the judiciary.

Mr. Allen also presented the memorial of Gilbert A. Gamage, praying for the payment of a claim against the state of 150 dollars due James McLean, for military services; which was read, and referred to the committee on claims.

Mr. Benton, from the committee on the judiciary, reported, with amendments, the bill from the Assembly, entitled "An act in relation to the redemption of lands sold for taxes in certain cases;" which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

Mr. Allen, from the select committee on the bill from the Assembly, entitled "An act for the better regulation of the wharves, piers and slips in the city of New-York," reported the same without amendment, which was committed to a committee of the whole.



Mr. Todd, from the select committee on the following bills from the Assembly, reported the same, severally, without amendment, to wit :

"An act authorising Josiah Le Count to erect a dock in the town of New-Rochelle :"

"An act to authorise Solomon Roosa to build a bridge over the Esopus creek :"

Which were committed to a committee of the whole.

A message from his honor the Lieutenant-Governor, delivered by his private secretary, was read in the words following, to wit :

#### TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to incorporate the Buffalo fire and marine insurance company."

E. T. THROOP.

*Albany, April 1, 1830.*

A report was received from the Regents of the University, on the bill entitled "An act concerning the literature fund, the Oswego canal fund, and the Erie and Champlain canal fund ;" which was read, and together with the bill, committed to a committee of the whole.

[See Document No. 371.]

Ten bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act to amend the charter of the Bank of Geneva :"

"An act to amend the charter of the Bank of Monroe :"

"An act to amend the charter of the Mohawk bank :"

"An act to amend the charter of the Merchants' and Mechanics' bank, in the city of Troy :"

"An act to amend the charter of the Lockport bank :"

"An act to amend the charter of the Bank of Auburn :"

"An act to amend the charter of the Bank of Ithaca :"

"An act to amend the charter of the bank of Newburgh :"

"An act to incorporate the president, directors and company of the bank of Oneida :"

"An act to incorporate the president, directors and company of the Bank of Schenectady :"

Which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on banks and insurance companies.

Mr. Gere asked for and obtained leave of absence for Mr. Deitz, for five days.

The Senate then took up the consideration of the report of the committee of the whole, on the bill entitled "An act to provide for the deficiency in the revenue of the general fund ;" which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Hubbard moved two resolutions, in the words following, to wit :

*Resolved*, That it is proper to raise a revenue by excise on dry goods merchants, jewellers, booksellers, grocers, distillers and inn-keepers.

*Resolved*, That the committee on finance report a bill to carry into effect the object of the above resolution.

*Ordered*, That the said resolutions be laid on the table.

Mr. Maynard moved a resolution in the words following, to wit :  
Whereas, the congress of the United States, on the 4th of October, 1777, did

" *Resolve*, That the Governor and Council of New-York be desired to erect a monument, at continental expense, of the value of five hundred dollars, to the memory of the late Brigadier Herkimer, who commanded the militia of Tryon county, in the state of New-York, and was killed by fighting gallantly in defence of the liberty of these states :"

Therefore,

*Resolved*, (if the honorable the Assembly concur,) That the Senators in congress from this state be instructed, and the representatives from this state be requested to procure, if practicable, the passage of a bill at the present session of congress, making an appropriation to give effect to the foregoing resolution, as soon as the monument therein mentioned shall be erected.

*Resolved*, That the clerks of the Senate and Assembly transmit to each senator and representative in congress from this state a copy of the foregoing preamble and resolution.

*Ordered*, That the said resolution be laid on the table.

The Senate then took up the consideration of the resolution yesterday offered by Mr. Boughton, for holding an afternoon session, which, after being amended by the consent of the mover, was again read in the words following, to wit :

*Resolved*, That after the present week the Senate will hold an afternoon session; commencing at 4 o'clock, and be confined to legislative business, in committee of the whole.

Mr. Hubbard made a motion that said resolution be laid on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit :

#### FOR THE AFFIRMATIVE.

|               |             |               |    |
|---------------|-------------|---------------|----|
| Mr. Allen     | Mr. Enos    | Mr. Oliver    |    |
| Mr. Armstrong | Mr. Gere    | Mr. Porter    |    |
| Mr. Beardsley | Mr. Hubbard | Mr. Rexford   |    |
| Mr. Conklin   | Mr. Maynard | Mr. Tallmadge |    |
| Mr. Eaton     | Mr. McLean  | Mr. Throop    | 15 |

#### FOR THE NEGATIVE.

|              |              |              |   |
|--------------|--------------|--------------|---|
| Mr. Benton   | Mr. McMartin | Mr. Wheeler  |   |
| Mr. Boughton | Mr. Todd     | Mr. Woodward |   |
| Mr. Mather   | Mr. Warren   |              | 8 |

The Senate then took up the consideration of the following resolution :

*Resolved*, (if the Senate concur herein,) That this Legislature will adjourn on Tuesday, the 20th day of April instant.

*Resolved*, That the Senate do concur with the Assembly in their said resolution.

*Ordered*, That the clerk deliver a copy of the preceding resolution to the Assembly.

The bill from the Assembly entitled "An act to amend the charter of the city of New-York," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Rexford   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather   | Mr. Throop    |
| Mr. Benton    | Mr. Maynard  | Mr. Todd      |
| Mr. Boughton  | Mr. McLean   | Mr. Warren    |
| Mr. Bronson   | Mr. McMartin | Mr. Waterman  |
| Mr. Conklin   | Mr. Oliver   | Mr. Wheeler   |
| Mr. Eaton     | Mr. Porter   | Mr. Woodward  |
| Mr. Enos      |              |               |

25

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The engrossed bill entitled "An act to extend the time for filling up the stock of the National bank of the city of New-York," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Armstrong | Mr. Gere     | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather   | Mr. Throop    |
| Mr. Benton    | Mr. Maynard  | Mr. Todd      |
| Mr. Boughton  | Mr. McLean   | Mr. Warren    |
| Mr. Bronson   | Mr. McMartin | Mr. Waterman  |
| Mr. Conklin   | Mr. Oliver   | Mr. Wheeler   |
| Mr. Eaton     | Mr. Porter   | Mr. Woodward  |
| Mr. Enos      | Mr. Rexford  |               |

23

FOR THE NEGATIVE.

|           |             |   |
|-----------|-------------|---|
| Mr. Allen | Mr. Hubbard | 2 |
|-----------|-------------|---|

The engrossed bill entitled "An act to extend the time for filling up the stock of the Bank of Whitehall," was read the third time

and passed ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

**FOR THE AFFIRMATIVE.**

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Rexford   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather   | Mr. Throop    |
| Mr. Benton    | Mr. Maynard  | Mr. Todd      |
| Mr. Boughton  | Mr. McLean   | Mr. Warren    |
| Mr. Bronson   | Mr. McMartin | Mr. Waterman  |
| Mr. Conklin   | Mr. Oliver   | Mr. Wheeler   |
| Mr. Eaton     | Mr. Porter   | Mr. Woodward  |
| Mr. Enos      |              |               |

25

*Ordered*, That the clerk deliver said bills to the Assembly, and request their concurrence to the same.

Mr. Mather, from the committee on enrolled bills, reported the bill entitled "An act to incorporate the Ontario high school," as correctly engrossed.

Thereupon,

The said engrossed bill was read the third time and passed ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

**FOR THE AFFIRMATIVE.**

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Rexford   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather   | Mr. Throop    |
| Mr. Benton    | Mr. Maynard  | Mr. Todd      |
| Mr. Boughton  | Mr. McLean   | Mr. Warren    |
| Mr. Bronson   | Mr. McMartin | Mr. Waterman  |
| Mr. Conklin   | Mr. Oliver   | Mr. Wheeler   |
| Mr. Eaton     | Mr. Porter   | Mr. Woodward  |
| Mr. Enos      |              |               |

25

*Ordered*, That the clerk deliver the said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act to erect the town of Hamptonburgh, in the county of Orange," was read the third time.

Mr. Todd made a motion that the question on the final passage of said bill be postponed until to-morrow.

Debates were had thereon, and,

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit :

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Conklin  | Mr. Porter    |
| Mr. Beardsley | Mr. Hubbard  | Mr. Rexford   |
| Mr. Benton    | Mr. McLean   | Mr. Tallmadge |
| Mr. Boughton  | Mr. McMartin | Mr. Throop    |
| Mr. Bronson   | Mr. Oliver   | Mr. Todd      |

15

## FOR THE NEGATIVE.

|               |              |              |
|---------------|--------------|--------------|
| Mr. Armstrong | Mr. Mather   | Mr. Wheeler  |
| Mr. Enos      | Mr. Maynard  | Mr. Woodward |
| Mr. Gere      | Mr. Waterman |              |

8

The bill from the Assembly entitled "An act to loan money to the county of Cattaraugus," was read the third time and passed.

*Ordered,* That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act in relation to the redemption of lands sold for taxes in certain cases," with the engrossed amendments, was read the third time and passed.

*Ordered,* That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the relief of Robert Ferguson;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Rexford, from the said committee, reported the same with amendments; which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising the sale of certain lands in the mine reservation, in the county of Cayuga;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Beardsley, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then, pursuant to the concurrent resolution of the Senate and Assembly of yesterday, proceeded to nominate two Regents of the University, to fill the vacancies occasioned by the resignation of Peter B. Porter, and by the death of John Lansing, Jun. when each Senator present openly nominated, as follows;

## For JOHN P. CUSHMAN and JOHN TRACY,

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Eaton    | Mr. Rexford   |
| Mr. Armstrong | Mr. Enos     | Mr. Tallmadge |
| Mr. Beardsley | Mr. Hubbard  | Mr. Throop    |
| Mr. Benton    | Mr. McLean   | Mr. Todd      |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Wheeler   |

18

FOR HENRY DANA WARD and GERRIT SMITH,

Mr. Boughton

Mr. Mather

Mr. Maynard

3

Thereupon,

*Resolved*, That John P. Cushman, of the city of Troy, and John Tracy, of the county of Chenango, be and they are hereby nominated on the part of the Senate, Regents of the University of this state, in the place of Peter B. Porter, resigned, and John Lansing, Jun. deceased.

*Resolved*, (if the Assembly concur,) That the Senate will immediately meet the Assembly in the Assembly chamber, to compare their nominations of Regents of the University.

*Ordered*, That the clerk deliver a copy of said resolution to the Assembly.

A copy of a resolution from the Assembly was received, informing that they had concurred in the resolution of the Senate, for comparing the respective nominations of the two houses, for Regents of the University.

Mr. President accordingly left the chair, and, with the Senate, proceeded to the Assembly chamber, to meet the Assembly; and on comparing their respective nominations for Regents of the University, they were found to agree in the names of John P. Cushman, of the city of Troy, and John Tracy of the county of Chenango. And the president thereupon announced and declared the said John P. Cushman and John Tracy, to be duly appointed Regents of the University of this state: And,

Thereupon,

The Senate having returned to the Senate chamber, the president announced the said proceedings to have taken place.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act concerning the literature fund;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Boughton, from the said committee, reported the same without amendment.

*Ordered*, That said report be laid on the table.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Lemuel Wasson;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Mather, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Kingston,' passed April 6, 1805;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act relative to school district number one, in the town of Palmyra, and county of Wayne;" and after some

[SENATE JOURNAL.]

D 2

time spent thereon, Mr. President resumed the chair, and Mr. Eaton, from the said committee, reported the same without amendment; which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to confirm and ratify the purchase and sale of certain real estate in the county of Genesee;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Allen, from the said committee, reported the same with amendments, and an alteration of the title, so as to read "An act relative to the sale of certain lands in the county of Genesee;" which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

After the consideration of executive business, the Senate adjourned until 10 o'clock to-morrow morning.

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**SATURDAY, 10 O'CLOCK, A. M.—APRIL 3, 1830.**

The Senate met pursuant to adjournment.

Mr. Allen presented the memorial of Brigham Howe and others, praying for an act prohibiting the circulation of bank notes of a less denomination than five dollars; which was read, and referred to the committee on banks and insurance companies.

Mr. Warren presented the petition of sundry inhabitants of the county of Rensselaer, praying for the appointment of commissioners to survey, alter and improve a public road therein mentioned; which was read, and referred to the committee on roads and bridges.

Mr. Bronson presented the petition of Samuel Stephenson, praying the passage of a law relative to certain escheated lands; which was read, and referred to the committee on finance.

Mr. Allen, from the committee on banks and insurance companies, to which was referred the bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Bank of Poughkeepsie," made a report in favor of the passage of the same.

*Ordered*, That said bill and report be committed to a committee of the whole.

[*See Document No. 383.*]

Mr. Allen, from the same committee, reported, severally, with an amendment, eight bills from the Assembly, of the following titles, to wit:

"An act to amend the charter of the bank of Newburgh:"

"An act to amend the charter of the Bank of Ithaca:"

"An act to amend the charter of the Bank of Auburn:"

"An act to amend the charter of the Merchants' and Mechanics' bank, in the city of Troy:"

"An act to amend the charter of the Lockport bank:"

"An act to amend the charter of the Bank of Monroe:"

"An act to amend the charter of the Mohawk bank:"

"An act to amend the charter of the Bank of Geneva:"

Which were severally committed to a committee of the whole.

Mr. Warren, from the select committee on the petition of the president and directors of the Lansingburgh dry dock and hydraulic company, reported, that the committee had prepared a bill, entitled "An act relative to the Lansingburgh dry dock and hydraulic company;" which, by leave, was brought in, read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Fourteen bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to amend the charter of the Mechanics' and Farmers' bank, in the city of Albany:"

"An act to amend the charter of the bank of Chenango:"

"An act to amend the charter of the Ontario Bank:"

"An act to amend the charter of the Bank of Troy:"

"An act to amend the charter of the New-York state bank:"

"An act to amend the charter of the Ogdensburgh bank:"

"An act to amend the charter of the Jefferson county bank:"

"An act to amend the charter of the Central bank:"

"An act to amend the charter of the Bank of Utica:"

"An act to amend the charter of the Farmers' bank:"

"An act to amend the charter of the Catskill bank:"

"An act to amend the charter of the Bank of Genesee:"

"An act to amend the charter of the Canal bank of Albany:"

"An act to amend the charter of the Bank of Albany:"

Which were severally read the first time, and by unanimous consent were also read a second time, and committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Junia Curtiss;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act relative to justices of the peace in the city of Hudson;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to divide the town of Cuba, in the county of Allegany;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of counties and towns.

Two bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act in addition to the 'Act respecting the election of charter officers in the city of New-York:'"

"An act to incorporate the Infant school of New-York:"



Which were read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the members attending the Senate from the first senate district.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Orange town point steam-boat company;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the second senate district.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act passed May 4, 1829, entitled 'An act to amend an act entitled 'An act declaring a part of the Cayuta Creek a public highway,' passed February 20, 1827;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the sixth senate district.

Three bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act authorising the establishment of a certain road in the village of Geneseo."

"An act to amend an act entitled 'An act to authorise the supervisors of the county of Orleans to raise money to build a bridge across the Oak Crchard and Marsh creeks, in the town of Carlton;' passed April 25, 1829."

"An act authorising commissioners of highways in the counties of Cattaraugus and Allegany, to lay out roads through improved lands."

Which were read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the members attending the Senate from the eighth senate district.

On motion of Mr. Allen,

*Resolved*, That the several bills renewing and extending the charters of the New-York banks, be recommitted to the committee of the whole.

Mr. President put the question on the final passage of the bill from the Assembly, entitled "An act to erect the town of Hamptonburgh, in the county of Orange," and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

#### FOR THE AFFIRMATIVE.

Mr. Allen  
Mr. Armstrong  
Mr. Boughton  
Mr. Bronson  
Mr. Conklin

Mr. Enos  
Mr. Gere  
Mr. Hubbard  
Mr. Mather  
Mr. Maynard

Mr. Oliver  
Mr. Warren  
Mr. Wheeler  
Mr. Woodward

## FOR THE NEGATIVE.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Beardsley | Mr. Porter  | Mr. Tallmadge |
| Mr. Benton    | Mr. Rexford | Mr. Throop    |
| Mr. McLean    | Mr. Sherman | Mr. Todd      |
| Mr. McMartin  |             |               |

10

The bill from the Assembly, entitled "An act authorising the sale of certain lands in the Mine reservation, in the county of Cayuga," was read the third time and passed.

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same severally, without amendment.

Mr. Mather, from the committee on enrolled bills, reported three bills as correctly engrossed, of the following titles, to wit :

"An act to amend an act entitled "An act to vest certain powers in the freeholders and inhabitants of the village of Kingston," passed April 6, 1805 :"

"An act relative to school district number one, in the town of Palmyra, and county of Wayne :"

"An act to provide for the deficiency in the revenue of the general fund."

Thereupon,

The said engrossed bill, entitled "An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Kingston,' passed April 6, 1805," was read the third time and passed ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Enos     | Mr. Porter    |
| Mr. Armstrong | Mr. Gere     | Mr. Sherman   |
| Mr. Beardsley | Mr. Hubbard  | Mr. Tallmadge |
| Mr. Benton    | Mr. Maynard  | Mr. Throop    |
| Mr. Boughton  | Mr. McLean   | Mr. Todd      |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Wheeler   |
| Mr. Eaton     |              |               |

22

The said engrossed bill, entitled "An act relative to school district number one, in the town of Palmyra, and county of Wayne," was read the third time and passed.

The said engrossed bill, entitled "An act to provide for the deficiency in the revenue of the general fund," was read the third time and passed.

The yeas and nays being moved and seconded, were as follows, to wit :

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Hubbard  | Mr. Sherman   |
| Mr. Armstrong | Mr. McLean   | Mr. Tallmadge |
| Mr. Beardsley | Mr. McMartin | Mr. Throop    |
| Mr. Benton    | Mr. Oliver   | Mr. Todd      |
| Mr. Bronson   | Mr. Porter   | Mr. Warren    |
| Mr. Eaton     |              |               |

16

## FOR THE NEGATIVE.

|              |          |             |
|--------------|----------|-------------|
| Mr. Boughton | Mr. Enos | Mr. Mather  |
| Mr. Conklin  | Mr. Gere | Mr. Maynard |

6

*Ordered,* That the clerk deliver said several bills to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act relative to the sale of certain lands in the county of Genesee," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly, entitled "An act for the relief of Robert Ferguson," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting infavor thereof, as follows, towit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Rexford   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Sherman   |
| Mr. Beardsley | Mr. Mather   | Mr. Tallmadge |
| Mr. Benton    | Mr. Maynard  | Mr. Throop    |
| Mr. Boughton  | Mr. McLean   | Mr. Todd      |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Wheeler   |
| Mr. Eaton     | Mr. Porter   | Mr. Woodward  |
| Mr. Enos      |              |               |

25

*Ordered,* That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

*Ordered,* That the consideration of the bill entitled "An act for the relief of Lemuel Wasson," be postponed until Monday next.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to enable Thomas Perry and James Perry, aliens, to take, hold and convey real estate upon certain conditions;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend the seventh article, of title nine, of chapter nine, of the first part of the Revised Statutes;" and after some time spent thereon, Mr. Presi-

dant resumed the chair, and Mr. Conklin, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to change the name of Frederick P. Gouverneur;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act in relation to the Dutchess turnpike company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Enos, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act concerning the state road from Fredonia, in the county of Chautauque, to the village of Perry, in the county of Genesee;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Poesten kill turnpike company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported that the committee had disagreed to said bill.

*Ordered*, That said report be laid on the table.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the relief of Daniel Carswell;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Enos, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend the act entitled 'An act providing for the appointment of inspectors of unslaked lime in the county of Greene,' passed March 17, 1829;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Bronson, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to authorise the trustees of Romulus to receive certain monies of David Dey;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Allen, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Oneida lake canal company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act concerning the literature fund, Oswego canal fund and the Erie and Champlain canal fund;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Boughton, from the said committee, reported the same with an amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Sidney and Unadilla bridge company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Maynard, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act authorising the erection of a state prison for female convicts;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Sherman, from the said committee, reported progress, and asked for and obtained leave to sit again.

Thereupon,

*Ordered*, That the committee of the whole be discharged from the further consideration of said bill, and that the same be recommended to the committee on state prisons.

On motion of Mr. Allen,

*Resolved*, That the committee on state prisons be directed to examine the building and premises offered to the state by the corporation of Schenectady, and that the said committee report the result of said examination to the Senate.

Mr. Throop, from the committee on state prisons, reported a bill entitled "An act concerning convicts under the age of seventeen years, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Then the Senate adjourned until 10 o'clock on Monday morning next.

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**MONDAY, 10 O'CLOCK, A. M.—APRIL 5, 1830.**

The Senate met pursuant to adjournment.

Mr. Benton presented the petition of Charles Stebbins and Jonathan D. Ledyard, praying for an act confirmatory of the title of the grantee of Arthur Cazenove, an alien, which was read, and referred to the committee on the judiciary.

Mr. Benton, from the committee on the judiciary, to which was referred several memorials from sundry inhabitants of the city of New-York, in behalf of the surviving officers and soldiers of the revolutionary army, praying for the passage of a law exempting them from imprisonment for debt, made a report in favor of the same, and brought in a bill entitled "An act to exempt certain officers and soldiers of the revolutionary army from imprisonment for debt;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole, and ordered to be printed.

[*See Document No. 388.*]

Mr. Benton, from the same committee, on the petition of Charles Stebbins and Jonathan D. Ledyard, reported a bill entitled "An act for the relief of the grantee of Arthur Cazenove;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Allen, from the committee on banks and insurance companies, to which was referred the bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Farmers' and Mechanics' bank of Catskill," made a report in favor of the passage of the same.

*Ordered*, That said bill and report be committed to a committee of the whole.

[*See Document No. 386.*]

Mr. Allen, from the same committee, to which was referred the bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Otsego county bank," made a report on the same.

*Ordered*, That said bill and report be committed to a committee of the whole.

[*See Document No. 384.*]

Mr. Allen, from the same committee, to which was referred the bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Butchers' and Drovers' bank," made a report in favor of the passage of the same.

*Ordered*, That said bill and report be committed to a committee of the whole.

[*See Document No. 385.*]

Mr. McMartin, from the committee on roads and bridges, reported with amendments, the bill entitled "An act to incorporate the Phoenix bridge company," which was committed to a committee of the whole.

[SENATE JOURNAL.]

F 2

Mr. Maynard, from the select committee on the memorial of the American colonization society, and the memorial of the State colonization society, reported the following resolutions :

*Resolved*, That the Senate applaud the motives and approve the objects of the American colonization society, and have full confidence in the fidelity, discretion and ability of its executive officers.

*Resolved*, That as the said society proposes to remove or mitigate existing evils, and prevent or diminish apprehended dangers, it deserves the confidence and encouragement of the American people.

*Resolved*, That the Senate commend the said society to the consideration and patronage of this state.

*Resolved*, That these resolutions be transmitted to the honorable the Assembly for their consideration.

*Ordered*, That said resolutions be laid on the table.

Mr. Boughton, from the select committee on the following bills from the Assembly, reported the same, severally, without amendment, to wit :

"An act authorising the establishment of a certain road in the village of Geneseo :"

"An act authorising commissioners of highways in the counties of Cattaraugus and Allegany to lay out roads through improved lands :"

Which were committed to a committee of the whole.

Two bills were received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended them accordingly, of the following titles, to wit :

"An act in relation to the redemption of lands sold for taxes :"

"An act concerning the practice of physic and surgery in this state."

The said amended bills having been examined :

*Ordered*, That the clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Williamson fire company ;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the third senate district.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act passed April 12, 1816, entitled 'An act further to amend the act entitled 'An act to incorporate the Croton turnpike company ;''" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the second senate district.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the justices of the supreme court to hear and dispose of non-enumerated business in vacation ;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Enos gave notice that he would on some future day, ask leave to bring in a bill to amend the act to erect the town of Hamptonburgh, in the county of Orange.

Mr. Mather, from the committee on enrolled bills, reported two bills as correctly engrossed, of the following titles, to wit :

"An act concerning the literature fund, Oswego canal fund, and the Erie and Champlain canal fund :"

"An act to incorporate the Sidney and Unadilla bridge company."

Thereupon,

The said engrossed bill entitled "An act concerning the literature fund, Oswego canal fund, and the Erie and Champlain canal fund," was read the third time and passed.

*Ordered*, That the clerk deliver the said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act to enable Thomas Perry and James Perry, aliens, to take, hold and convey real estate upon certain conditions therein expressed," with the engrossed amendments, was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act to change the name of Frederick P. Gouverneur," was read the third time and passed.

The bill from the Assembly, entitled "An act to amend the seventh article, of title nine, of chapter nine, of the first part of the Revised Statutes," was read the third time and passed.

The bill from the Assembly, entitled "An act to authorise the trustees of Romulus to receive certain monies of David Dey," was read the third time and passed.

The bill from the Assembly, entitled "An act concerning the state road from Fredonia, in the county of Chautauque, to the village of Perry in the county of Genesee," was read the third time and passed.

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same severally, without amendment.

The bill from the Assembly, entitled "An act in relation to the Dutchess turnpike company," was read the third time, and the question on its final passage ordered to be laid on the table.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the relief of Daniel Carswell;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Enos, from the said committee, reported the same without amendment, which report was again read in the words following to wit :

"It shall be the duty of the acting canal commissioners to cause a re-estimate to be made, of the work done by Daniel Carswell, in constructing and completing section sixteen, on the Champlain canal, between Fort-Edward and Fort-Miller; such re-estimate to be made according to the contract price, under the contract made with William Van Nortwick; and shall also cause an estimate to be made of all work done on said canal by said Carswell, under the direction of any engineer.

"If by such estimates, it shall appear satisfactory to said commissioners, that a balance is due from the state, over and above all sums



heretofore paid, either to said Van Nortwick or said Carswell, the said commissioners shall pay such balance, (with the interest thereon, from the first day of November, in the year of our Lord, one thousand eight hundred and twenty-six,) to said Carswell, upon his delivering to them a release, duly executed by said Van Nortwick, of all claims to any further payment from the state for or on account of said contract."

Mr. President put the question on agreeing to the same, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit :

**FOR THE AFFIRMATIVE.**

|               |              |               |    |
|---------------|--------------|---------------|----|
| Mr. Allen     | Mr. McMartin | Mr. Sherman   |    |
| Mr. Armstrong | Mr. Oliver   | Mr. Tallmadge |    |
| Mr. Boughton  | Mr. Porter   | Mr. Warren    |    |
| Mr. Mather    | Mr. Rexford  | Mr. Waterman  |    |
| Mr. McLean    |              |               | 13 |

**FOR THE NEGATIVE.**

|             |             |            |   |
|-------------|-------------|------------|---|
| Mr. Bronson | Mr. Hubbard | Mr. Throop |   |
| Mr. Enos    | Mr. Schenck | Mr. Todd   | 6 |

Thereupon,

The said bill was ordered to a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend the act entitled 'An act providing for the appointment of inspectors of unslaked lime in the county of Greene,' passed March 17, 1829," and after some time spent thereon, Mr. President resumed the chair, and Mr. Bronson, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the three bills from the Assembly, of the following titles, to wit :

"An act to incorporate the president, directors and company of the Bank of Poughkeepsie :"

"An act to incorporate the president, directors and company of the Farmers' and Mechanics' bank of Catskill :"

"An act to incorporate the president, directors and company of the Otsego county bank :"

And after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard reported the said bill, entitled "An act to incorporate the president, directors and company of the bank of Poughkeepsie," and the said bill entitled "An act to incorporate the president, directors and company of the Otsego county bank," severally, without amendment, which was agreed to by the Senate, and the bills ordered to a third reading.

Mr. Hubbard also reported said bill entitled "An act to incorporate the president, directors and company of the Farmers' and Mechanics' bank of Catskill," with an amendment, which report was

agreed to by the Senate, and the amendment ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on three bills from the Assembly, of the following titles, to wit :

"An act to amend the charter of the bank of Newburgh :"

"An act to amend the charter of the Bank of Ithaca :"

"An act to amend the charter of the Bank of Auburn :"

And after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported the said bills, severally, with an amendment; which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bills to a third reading.

The Senate then resolved itself into a committee of the whole, on three bills from the Assembly, of the following titles, to wit :

"An act to amend the charter of the Bank of Monroe :"

"An act to amend the charter of the Lockport bank :"

"An act to amend the charter of the Merchants' and Mechanics' bank, in the city of Troy :"

And after some time spent thereon, Mr. President resumed the chair, and Mr. Beardsley, from the said committee, reported the same, severally, with amendments; which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bills to a third reading.

The Senate then resolved itself into a committee of the whole, on three bills from the Assembly, of the following titles, to wit :

"An act to amend the charter of the Mohawk bank :"

"An act to amend the charter of the Bank of Geneva :"

"An act to amend the charter of the Mechanics' and Farmers' bank, in the city of Albany :"

And after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported the said bills, severally, with an amendment, which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bills to a third reading.

The Senate then resolved itself into a committee of the whole, on three bills from the Assembly, of the following titles, to wit :

"An act to amend the charter of the bank of Chenango :"

"An act to amend the charter of the Ontario Bank :"

"An act to incorporate the president, directors and company of the Butchers' and Drovers' bank :"

And after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported the said bills, severally, with amendments; which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bills to a third reading.

On motion of Mr. Enos,

*Ordered*, That the resolution of the Senate of the 5th day of March last, instructing the committee on banks and insurance companies, to report a detailed statement of facts and their opinion thereon, on all applications for banking incorporations, be rescinded.

On motion of Mr. Benton,

**Ordered,** That the committee of the whole be discharged from the further consideration of the following bills from the Assembly, to wit:

- "An act to amend the charter of the Bank of Troy:"
- "An act to amend the charter of the New-York state bank:"
- "An act to amend the charter of the Ogdensburgh bank:"
- "An act to amend the charter of the Jefferson county bank:"
- "An act to amend the charter of the Central bank:"
- "An act to amend the charter of the Bank of Utica:"
- "An act to amend the charter of the Farmers' bank:"
- "An act to amend the charter of the Catskill bank:"
- "An act to amend the charter of the Bank of Genesee:"
- "An act to amend the charter of the Canal bank of Albany:"
- "An act to amend the charter of the Bank of Albany:"

After amending the said bills, severally, the amendments were ordered to be engrossed, and the bills to a third reading.

On motion of Mr. Todd,

**Resolved,** That the Senate reconsider their vote of to-day, on agreeing to the report of the committee of the whole on the bill from the Assembly, entitled "An act to amend the charter of the Bank of Newburgh."

Thereupon,

After amending said report, it was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

On motion of Mr. Sherman,

**Ordered,** That the petition of David Godwin and the report of the committee on claims thereon, be recommitted to the committee on claims.

Then the Senate adjourned until 10 o'clock to-morrow morning.

**TUESDAY, 10 O'CLOCK, A. M.—APRIL 6, 1830.**

The Senate met pursuant to adjournment.

Mr. Conklin presented two several petitions of sundry dealers in flour and others, in the city of New-York, praying for a division of the office of flour-inspector; which were read, and referred to a committee of the whole, when on the bill to which the subject relates.

Mr. Todd, from the committee on finance, reported a bill entitled "An act for the regulation and preservation of the state pier at Sag Harbor;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Todd, from the same committee, on the communication of the commissioners of the land-office, of the 1st of April instant, reported a bill entitled "An act relating to the public lands;" which was

read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Todd, from the same committee, reported, with amendments, the bill from the Assembly, entitled "An act for the relief of Junia Curtis," which was committed to a committee of the whole.

Mr. Hubbard, from the committee on claims, to which was referred the petition of Gilbert A. Gamage, made a report in favor of the same, and brought in a bill entitled "An act for the relief of Gilbert A. Gamage;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

[See Document No. 389.]

Mr. Hubbard, from the same committee, on the petition of John Gifford, reported a bill entitled "An act for the relief of John Gifford;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Beardsley, from the committee on the division of counties and towns, reported without amendment, the bill from the Assembly, entitled "An act to divide the town of Cuba, in the county of Allegany," which was committed to a committee of the whole.

Mr. Allen, from the committee on banks and insurance companies, reported without amendment, and without expressing any opinion in favor or against their passage, two bills from the Assembly, of the following titles, to wit :

"An act to incorporate the president, directors and company of the bank of Oneida :"

"An act to incorporate the president, directors and company of the Bank of Schenectady :"

Which were committed to a committee of the whole.

Mr. Benton, from the committee on the judiciary, reported, without amendment, two bills from the Assembly, of the following titles, to wit :

"An act to authorize the justices of the supreme court to hear and dispose of non-enumerated business in vacation :"

"An act relative to the justices of the peace, in the city of Hudson :"

"An act relative to the printing of the Revised Statutes :"

Which were committed to a committee of the whole.

Mr. Benton, from the committee on banks and insurance companies, reported, without amendment, the bill from the Assembly entitled "An act to incorporate the Utica cotton printing company," which was committed to a committee of the whole.

Mr. Wheeler, from the select committee on the bill from the Assembly, entitled "An act to amend an act passed May 4, 1829, entitled 'An act to amend an act entitled 'An act declaring a part of the Cayuta Creek a public highway,' passed February 20, 1827," reported the same without amendment, which was committed to a committee of the whole.

Mr. Todd, from the select committee on the bill from the Assembly, entitled "An act to incorporate the Orange town point steam-

boat company," reported the same without amendment, which was committed to a committee of the whole.

Mr. Allen, from the select committee on the following bills from the Assembly, reported the same, severally, without amendment, to wit:

"An act to incorporate the infant school, of New-York :"

"An act in addition to the act respecting the election of charter officers in the city of New-York :"

Which were committed to a committee of the whole.

Mr. Todd, from the select committee on the bill from the Assembly, entitled "An act to amend the act passed April 12, 1816, entitled 'An act further to amend the act entitled 'An act to incorporate the Croton turnpike company,''" reported the same without amendment, which was committed to a committee of the whole.

Mr. Boughton, from the select committee on the bill from the Assembly, entitled "An act to amend an act entitled 'An act to authorise the supervisors of the county of Orleans to raise money to build a bridge across the Oak Orchard and Marsh creeks, in the town of Carlton;' passed April 25, 1829," reported the same without amendment, which was committed to a committee of the whole.

The bill entitled "An act relative to the court of general sessions of the county of Erie," was received from the Assembly, with a message that they had passed the same, with the amendments therewith delivered.

The said amendments having been read :

*Resolved*, That the Senate do concur with the Assembly in their amendments to said bill.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

The bill entitled "An act to incorporate the Jefferson cotton mills," was received from the Assembly, with a message that they had passed the same with the amendment therewith delivered.

The said amendment having been read,

Mr. President put the question on concurring in the same, and it was decided in the affirmative ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

#### FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Sherman   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Tallmadge |
| Mr. Beardsley | Mr. Maynard  | Mr. Throop    |
| Mr. Benton    | Mr. McLean   | Mr. Todd      |
| Mr. Boughton  | Mr. McMartin | Mr. Tracy     |
| Mr. Bronson   | Mr. Oliver   | Mr. Warren    |
| Mr. Conklin   | Mr. Porter   | Mr. Waterman  |
| Mr. Enos      | Mr. Rexford  | Mr. Wheeler   |

24

*Resolved*, That the Senate do concur with the Assembly in their amendment to the said bill.

*Ordered*, That the clerk deliver said bill and a copy of said resolution to the Assembly.

Three bills were received from the Assembly, with a message that they had passed the same, severally, without amendment, of the following titles, to wit :

"An act relative to school district number one, in the town of Palmyra, and county of Wayne :"

"An act directing the survey of a canal route from Rome to the High falls of the Black river :"

"An act to incorporate the Ontario high school :"

Which were presented to his honor the Lieutenant-Governor by the clerk.

Two bills were received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended them accordingly, of the following titles, to wit :

"An act to amend the charter of the city of New-York :"

"An act relative to the sale of certain lands, in the county of Genesee."

The said amended bills having been examined :

*Ordered*, That the clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to revive an act entitled 'An act to incorporate the Whitehall and Fairhaven turnpike company ;'" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Walden fire company ;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the second senate district.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the supervisors of the county of St. Lawrence to raise monies to complete their public buildings ;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the fourth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Rome and New-London turnpike road company ;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the fifth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the village of Sherburne ;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the sixth senate district.

Mr. Enos, pursuant to previous notice, asked for and obtained leave to bring in a bill entitled "An act to amend an act entitled 'An act to erect the town of Hamptonburgh, in the county of Orange.'"

Thereupon,

Mr. Enos brought in said bill, which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

On motion of Mr. Todd,

*Ordered*, That the committee on finance be discharged from the further consideration of the petition of Samuel Stevenson, and that it be referred to the commissioners of the land-office.

On motion of Mr. Todd,

*Ordered*, That the committee on finance, be discharged from the further consideration of the petition of Nathan Underwood, and that the same be referred to the committee on claims.

The Senate then took up the consideration of the following preamble and resolution :

Whereas, the congress of the United States, on the 4th of October, 1777, did

*"Resolve*, That the Governor and Council of New-York be desired to erect a monument, at continental expense, of the value of five hundred dollars, to the memory of the late Brigadier Herkimer, who commanded the militia of Tryon county, in the state of New-York, and was killed fighting gallantly in defence of the liberty of these states :"

Therefore,

*Resolved*, (if the honorable the Assembly concur,) That the Senators in congress from this state be instructed, and the representatives from this state be requested to procure, if practicable, the passage of a bill at the present session of congress, making an appropriation to give effect to the foregoing resolution, as soon as the monument therein mentioned shall be erected.

*Resolved*, That the clerks of the Senate and Assembly transmit to each senator and representative in congress from this state a copy of the foregoing preamble and resolution.

Debates were had thereon, and,

Mr. President put the question on agreeing to the same, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit :

#### FOR THE NEGATIVE.

Mr. Armstrong  
Mr. Beardsley  
Mr. Bronson  
Mr. Conklin  
Mr. Eaton

Mr. Gere  
Mr. Oliver  
Mr. Rexford  
Mr. Sherman  
Mr. Throop

Mr. Todd  
Mr. Tracy  
Mr. Warren  
Mr. Waterman

14

#### FOR THE AFFIRMATIVE.

Mr. Allen  
Mr. Benton  
Mr. Boughton  
Mr. Enos  
Mr. Hubbard

Mr. Mather  
Mr. Maynard  
Mr. McLean  
Mr. McMartin

Mr. Porter  
Mr. Schenck  
Mr. Tallmadge  
Mr. Wheeler

13

The bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Mechanics' bank of Buffalo," was read the third time and lost; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Hubbard  | Mr. Sherman   |
| Mr. Beardsley | Mr. Mather   | Mr. Tallmadge |
| Mr. Boughton  | Mr. Maynard  | Mr. Tracy     |
| Mr. Bronson   | Mr. McLean   | Mr. Warren    |
| Mr. Conklin   | Mr. McMartin | Mr. Waterman  |
| Mr. Enos      | Mr. Oliver   | Mr. Wheeler   |
| Mr. Gere      | Mr. Porter   |               |

20

## FOR THE NEGATIVE.

|               |             |             |
|---------------|-------------|-------------|
| Mr. Armstrong | Mr. Rexford | Mr. Throop. |
| Mr. Benton    | Mr. Schenck | Mr. Todd    |
| Mr. Eaton     |             |             |

7

Thereupon,

*Resolved,* That said bill be rejected.

*Ordered,* That the clerk deliver said bill and a copy of said resolution to the Assembly.

The bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Livingston county bank," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Mather   | Mr. Schenck   |
| Mr. Armstrong | Mr. Maynard  | Mr. Tallmadge |
| Mr. Benton    | Mr. McLean   | Mr. Throop    |
| Mr. Boughton  | Mr. McMartin | Mr. Tracy     |
| Mr. Bronson   | Mr. Oliver   | Mr. Warren    |
| Mr. Conklin   | Mr. Porter   | Mr. Waterman  |
| Mr. Gere      | Mr. Rexford  | Mr. Wheeler   |
| Mr. Hubbard   |              |               |

22

## FOR THE NEGATIVE.

|               |             |          |
|---------------|-------------|----------|
| Mr. Beardsley | Mr. Enos    | Mr. Todd |
| Mr. Eaton     | Mr. Sherman |          |

5

The bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Bank of Poughkeepsie," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:



## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Sherman   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather   | Mr. Throop    |
| Mr. Benton    | Mr. Maynard  | Mr. Todd      |
| Mr. Boughton  | Mr. McLean   | Mr. Tracy     |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Waterman  |
| Mr. Eaton     | Mr. Porter   | Mr. Wheeler   |
| Mr. Enos      | Mr. Rexford  |               |

26

The bill from the Assembly, entitled "An act to amend the charter of the Lockport bank," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Sherman   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather   | Mr. Throop    |
| Mr. Benton    | Mr. Maynard  | Mr. Todd      |
| Mr. Boughton  | Mr. McLean   | Mr. Tracy     |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Waterman  |
| Mr. Eaton     | Mr. Porter   | Mr. Wheeler   |
| Mr. Enos      | Mr. Rexford  |               |

26

The bill from the Assembly, entitled "An act to amend the charter of the Bank of Monroe," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Sherman   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather   | Mr. Throop    |
| Mr. Benton    | Mr. Maynard  | Mr. Todd      |
| Mr. Boughton  | Mr. McLean   | Mr. Tracy     |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Waterman  |
| Mr. Eaton     | Mr. Porter   | Mr. Wheeler   |
| Mr. Enos      | Mr. Rexford  |               |

26

The bill from the Assembly entitled "An act to amend the charter of the Mohawk bank," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Hubbard  | Mr. Sherman   |
| Mr. Armstrong | Mr. Mather   | Mr. Tallmadge |
| Mr. Benton    | Mr. Maynard  | Mr. Throop    |
| Mr. Boughton  | Mr. McLean   | Mr. Todd      |
| Mr. Bronson   | Mr. McMartin | Mr. Tracy     |
| Mr. Conklin   | Mr. Oliver   | Mr. Warren    |
| Mr. Enos      | Mr. Porter   | Mr. Waterman  |
| Mr. Gere      | Mr. Rexford  | Mr. Wheeler   |

24

The bill from the Assembly, entitled "An act to amend the charter of the Bank of Geneva," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Armstrong | Mr. Hubbard  | Mr. Sherman   |
| Mr. Benton    | Mr. Mather   | Mr. Tallmadge |
| Mr. Boughton  | Mr. Maynard  | Mr. Throop    |
| Mr. Bronson   | Mr. McLean   | Mr. Todd      |
| Mr. Conklin   | Mr. McMartin | Mr. Tracy     |
| Mr. Eaton     | Mr. Oliver   | Mr. Warren    |
| Mr. Enos      | Mr. Porter   | Mr. Waterman  |
| Mr. Gere      | Mr. Rexford  | Mr. Wheeler   |

24

The bill from the Assembly, entitled "An act to amend the charter of the Mechanics' and Farmers' bank, in the city of Albany," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Enos    | Mr. Sherman   |
| Mr. Armstrong | Mr. Gere    | Mr. Tallmadge |
| Mr. Beardsley | Mr. Hubbard | Mr. Throop    |
| Mr. Benton    | Mr. Mather  | Mr. Todd      |
| Mr. Boughton  | Mr. Maynard | Mr. Tracy     |
| Mr. Bronson   | Mr. McLean  | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver  | Mr. Waterman  |
| Mr. Eaton     | Mr. Porter  | Mr. Wheeler   |

24

The bill from the Assembly, entitled "An act to amend the charter of the bank of Chenango," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Sherman   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather   | Mr. Throop    |
| Mr. Benton    | Mr. Maynard  | Mr. Todd      |
| Mr. Boughton  | Mr. McLean   | Mr. Tracy     |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Waterman  |
| Mr. Enos      | Mr. Porter   | Mr. Wheeler   |

24

The bill from the Assembly, entitled "An act to amend the charter of the Ontario Bank," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Sherman   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather   | Mr. Throop    |
| Mr. Benton    | Mr. Maynard  | Mr. Todd      |
| Mr. Boughton  | Mr. McLean   | Mr. Tracy     |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Waterman  |
| Mr. Eaton     | Mr. Porter   | Mr. Wheeler   |
| Mr. Enos      | Mr. Rexford  |               |

26

The bill from the Assembly, entitled "An act to amend the charter of the Bank of Troy," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Rexford   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Sherman   |
| Mr. Beardsley | Mr. Mather   | Mr. Tallmadge |
| Mr. Benton    | Mr. Maynard  | Mr. Throop    |
| Mr. Boughton  | Mr. McLean   | Mr. Todd      |
| Mr. Bronson   | Mr. McMartin | Mr. Tracy     |
| Mr. Conklin   | Mr. Oliver   | Mr. Waterman  |
| Mr. Eaton     | Mr. Porter   | Mr. Wheeler   |
| Mr. Enos      |              |               |

25

The bill from the Assembly, entitled "An act to amend the charter of the New-York state bank," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Sherman   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather   | Mr. Throop    |
| Mr. Benton    | Mr. Maynard  | Mr. Todd      |
| Mr. Boughton  | Mr. McLean   | Mr. Tracy     |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Waterman  |
| Mr. Eaton     | Mr. Porter   | Mr. Wheeler   |
| Mr. Enos      | Mr. Rexford  |               |

26

The bill from the Assembly, entitled "An act to amend the charter of the Ogdensburgh bank," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Armstrong | Mr. Hubbard  | Mr. Sherman   |
| Mr. Beardsley | Mr. Mather   | Mr. Tallmadge |
| Mr. Benton    | Mr. Maynard  | Mr. Throop    |
| Mr. Boughton  | Mr. McLean   | Mr. Todd      |
| Mr. Bronson   | Mr. McMartin | Mr. Tracy     |
| Mr. Conklin   | Mr. Oliver   | Mr. Warren    |
| Mr. Eaton     | Mr. Porter   | Mr. Waterman  |
| Mr. Enos      | Mr. Rexford  | Mr. Wheeler   |
| Mr. Gere      |              |               |

26

The bill from the Assembly, entitled "An act to amend the charter of the Jefferson county bank," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Sherman   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather   | Mr. Throop    |
| Mr. Benton    | Mr. Maynard  | Mr. Todd      |
| Mr. Boughton  | Mr. McLean   | Mr. Tracy     |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Waterman  |
| Mr. Eaton     | Mr. Porter   | Mr. Wheeler   |
| Mr. Enos      | Mr. Rexford  |               |

26

The bill from the Assembly, entitled "An act to amend the charter of the Central bank," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

[SENATE JOURNAL.]

H 2

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Sherman   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather   | Mr. Throop    |
| Mr. Benton    | Mr. Maynard  | Mr. Todd      |
| Mr. Boughton  | Mr. McLean   | Mr. Tracy     |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Waterman  |
| Mr. Eaton     | Mr. Porter   | Mr. Wheeler   |
| Mr. Enos      | Mr. Rexford  |               |

26

The bill from the Assembly entitled "An act to amend the charter of the Bank of Utica," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Sherman   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather   | Mr. Throop    |
| Mr. Benton    | Mr. Maynard  | Mr. Todd      |
| Mr. Boughton  | Mr. McLean   | Mr. Tracy     |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Waterman  |
| Mr. Eaton     | Mr. Porter   | Mr. Wheeler   |
| Mr. Enos      | Mr. Rexford  |               |

26

The bill from the Assembly, entitled "An act to amend the charter of the Farmers' bank," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Sherman   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather   | Mr. Throop    |
| Mr. Benton    | Mr. Maynard  | Mr. Todd      |
| Mr. Boughton  | Mr. McLean   | Mr. Tracy     |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Waterman  |
| Mr. Eaton     | Mr. Porter   | Mr. Wheeler   |
| Mr. Enos      | Mr. Rexford  |               |

26

The bill from the Assembly, entitled "An act to amend the charter of the Catskill bank," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Sherman   |
| Mr. Armstrong | Mr. Mather   | Mr. Tallmadge |
| Mr. Beardsley | Mr. Maynard  | Mr. Throop    |
| Mr. Benton    | Mr. McLean   | Mr. Todd      |
| Mr. Boughton  | Mr. McMartin | Mr. Tracy     |
| Mr. Bronson   | Mr. Oliver   | Mr. Warren    |
| Mr. Conklin   | Mr. Porter   | Mr. Waterman  |
| Mr. Eaton     | Mr. Rexford  | Mr. Wheeler   |
| Mr. Enos      |              |               |

25

The bill from the Assembly, entitled "An act to amend the charter of the Bank of Genesee," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Sherman   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather   | Mr. Throop    |
| Mr. Benton    | Mr. Maynard  | Mr. Todd      |
| Mr. Boughton  | Mr. McLean   | Mr. Tracy     |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Waterman  |
| Mr. Eaton     | Mr. Porter   | Mr. Wheeler   |
| Mr. Enos      | Mr. Rexford  |               |

26

The bill from the Assembly, entitled "An act to amend the charter of the Canal bank of Albany," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Sherman   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather   | Mr. Throop    |
| Mr. Benton    | Mr. Maynard  | Mr. Todd      |
| Mr. Boughton  | Mr. McLean   | Mr. Tracy     |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Waterman  |
| Mr. Eaton     | Mr. Porter   | Mr. Wheeler   |
| Mr. Enos      | Mr. Rexford  |               |

26

The bill from the Assembly entitled "An act to amend the charter of the Bank of Albany," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit.

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Sherman   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather   | Mr. Throop    |
| Mr. Benton    | Mr. Maynard  | Mr. Todd      |
| Mr. Boughton  | Mr. McLean   | Mr. Tracy     |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Waterman  |
| Mr. Eaton     | Mr. Porter   | Mr. Wheeler   |
| Mr. Enos      | Mr. Rexford  |               |

26

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same, severally, with an amendment.

The bill from the Assembly, entitled "An act for the relief of Daniel Carswell," was read the third time and passed.

The yeas and nays being moved and seconded, were as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Mather   | Mr. Tallmadge |
| Mr. Armstrong | Mr. Maynard  | Mr. Tracy     |
| Mr. Boughton  | Mr. McLean   | Mr. Warren    |
| Mr. Conklin   | Mr. McMartin | Mr. Waterman  |
| Mr. Eaton     | Mr. Sherman  | Mr. Wheeler   |
| Mr. Gere      |              |               |

16

## FOR THE NEGATIVE.

|               |             |             |
|---------------|-------------|-------------|
| Mr. Beardsley | Mr. Hubbard | Mr. Rexford |
| Mr. Benton    | Mr. Oliver  | Mr. Throop  |
| Mr. Bronson   | Mr. Porter  | Mr. Todd    |
| Mr. Enos      |             |             |

10

Mr. President put the question on the final passage of the bill from the Assembly, entitled "An act in relation to the Dutchess turnpike company," and it was decided in the affirmative; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Sherman   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather   | Mr. Throop    |
| Mr. Benton    | Mr. Maynard  | Mr. Todd      |
| Mr. Boughton  | Mr. McLean   | Mr. Tracy     |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |

Mr. Conklin  
Mr. Eaton  
Mr. Enos

Mr. Oliver  
Mr. Porter  
Mr. Rexford

Mr. Waterman  
Mr. Wheeler

26

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same, severally, without amendment.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the president, directors and company of the bank of Oneida;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Eaton, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

Then the Senate adjourned until 10 o'clock to-morrow morning.

**WEDNESDAY, 10 O'CLOCK, A. M.—APRIL 7, 1830.**

The Senate met pursuant to adjournment.

Mr. Warren presented the petition of sundry merchants of the city of Albany, praying that the bill relative to the inspection of pot and pearl ashes now before the Senate, may become a law; which was read, and referred to the committee of the whole, when on the bill to which the subject relates.

Mr. Hubbard, from the committee on claims, to which had been recommitted the petition of David Godwin, a soldier of the revolution, praying for bounty lands, and also the report of the committee on claims on the same, reported against the prayer of the petitioner, which was agreed to by the Senate.

Mr. Hubbard, from the same committee, on the petition of John C. House and Conrath House, reported the following resolution:

*Resolved*, That the petitioners have leave to withdraw their petition.

Which was agreed to by the Senate.

Mr. Benton, from the committee on the judiciary, on the memorial of the Delaware and Hudson canal company, and the reports of the Comptroller thereon, reported a bill entitled "An act to facilitate the transfer of the public stocks of this state;" which was read the first time, and by unanimous consent was also read the second time, and committed to a committee of the whole, and ordered to be printed.

Mr. Wheeler, from the committee on roads and bridges, reported, without amendment, the bill from the Assembly, entitled "An act to incorporate the Charlotte turnpike company," which was committed to a committee of the whole.



Mr. Enos, from the select committee on the bill from the Assembly, entitled "An act to incorporate the Rome and New-London turnpike road company," reported the same without amendment, which was committed to a committee of the whole.

Mr. McMartin, from the select committee on the bill from the Assembly, entitled "An act to authorise the supervisors of the county of St. Lawrence to raise monies to complete their public highways," reported the same without amendment, which was committed to a committee of the whole.

Mr. Warren, from the select committee on the bill from the Assembly, entitled "An act to incorporate the Williamson fire company," reported the same with amendments, which was committed to a committee of the whole.

Mr. Mather, from the select committee on the bill entitled "An act to amend the act entitled 'An act to authorise the erection of a new court-house and jail in the county of Onondaga,' passed April 5, 1828," reported the same with amendments, which was committed to a committee of the whole.

Two bills were returned from the Assembly, of the following titles, to wit :

"An act relative to the court of general sessions of the county of Erie :"

"An act to incorporate the Jefferson cotton mills :"

Which were presented to his honor the Lieutenant-Governor by the clerk.

The bill entitled "An act to extend the time for filling up the stock of the National bank of the city of New-York," was received from the Assembly, with a message that they had passed the same without amendment, and was presented to his honor the Lieutenant-Governor by the clerk.

The bill entitled "An act for the relief of Robert Ferguson," was received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

*Ordered*, That the clerk return the same to the Assembly.

On motion of Mr. Warren,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act relating to the inspection of pot and pearl ashes in the city and county of Albany," and that the same, together with the petition of sundry merchants of the city of Albany, this morning presented to the Senate, be referred to the committee on manufactures.

Mr. President put the question on the final passage of the bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Farmers' and Mechanics' bank of Catskill," with the engrossed amendment, and it was decided in the negative ; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit :

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather   | Mr. Throop    |
| Mr. Boughton  | Mr. McCarty  | Mr. Todd      |
| Mr. Conklin   | Mr. McMartin | Mr. Tracy     |
| Mr. Deitz     | Mr. Rexford  | Mr. Warren    |
| Mr. Eaton     | Mr. Sherman  | Mr. Wheeler   |
|               |              | 18            |

## FOR THE NEGATIVE.

|               |             |              |
|---------------|-------------|--------------|
| Mr. Armstrong | Mr. Hubbard | Mr. Oliver   |
| Mr. Benton    | Mr. Maynard | Mr. Porter   |
| Mr. Bronson   | Mr. McLean  | Mr. Waterman |
| Mr. Enos      |             |              |
|               |             | 10           |

Thereupon,

*Resolved*, That the bill be rejected.

*Ordered*, That the clerk deliver said bill and a copy of said resolution to the Assembly.

Mr. President put the question on the final passage of the bill from the Assembly, entitled "An act to incorporate the President, directors and company of the Otsego county bank," and it was decided in the affirmative; two-thirds of all the members elected to the Senate voting in favor thereof as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Hubbard  | Mr. Rexford   |
| Mr. Beardsley | Mr. Mather   | Mr. Schenck   |
| Mr. Benton    | Mr. Maynard  | Mr. Sherman   |
| Mr. Bronson   | Mr. McCarty  | Mr. Tallmadge |
| Mr. Conklin   | Mr. McLean   | Mr. Throop    |
| Mr. Deitz     | Mr. McMartin | Mr. Warren    |
| Mr. Eaton     | Mr. Oliver   | Mr. Waterman  |
| Mr. Gere      | Mr. Porter   | Mr. Wheeler   |
|               |              | 24            |

## FOR THE NEGATIVE.

|               |          |           |
|---------------|----------|-----------|
| Mr. Armstrong | Mr. Enos | Mr. Tracy |
| Mr. Boughton  | Mr. Todd |           |
|               |          | 5         |

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Bank of Oneida," was read the third time and lost; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |             |               |    |
|---------------|-------------|---------------|----|
| Mr. Allen     | Mr. Enos    | Mr. Schenck   |    |
| Mr. Armstrong | Mr. Gere    | Mr. Sherman   |    |
| Mr. Benton    | Mr. Hubbard | Mr. Tallmadge |    |
| Mr. Conklin   | Mr. Mather  | Mr. Tracy     |    |
| Mr. Deitz     | Mr. Maynard | Mr. Waterman  |    |
| Mr. Eaton     | Mr. Oliver  | Mr. Wheeler   | 18 |

## FOR THE NEGATIVE.

|               |              |            |    |
|---------------|--------------|------------|----|
| Mr. Beardsley | Mr. McLean   | Mr. Throop |    |
| Mr. Boughton  | Mr. McMartin | Mr. Todd   |    |
| Mr. Bronson   | Mr. Porter   | Mr. Warren |    |
| Mr. McCarty   | Mr. Rexford  |            | 11 |

Thereupon,

*Resolved*, That said bill be rejected.

*Ordered*, That the clerk deliver said bill and a copy of said resolution to the Assembly.

Mr. President put the question on the final passage of the engrossed bill entitled "An act to incorporate Manhattan college," and it was decided in the negative; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |    |
|---------------|--------------|---------------|----|
| Mr. Allen     | Mr. Gere     | Mr. Sherman   |    |
| Mr. Armstrong | Mr. Hubbard  | Mr. Tallmadge |    |
| Mr. Boughton  | Mr. Maynard  | Mr. Tracy     |    |
| Mr. Conklin   | Mr. McLean   | Mr. Warren    |    |
| Mr. Deitz     | Mr. McMartin | Mr. Waterman  |    |
| Mr. Eaton     | Mr. Porter   | Mr. Wheeler   |    |
| Mr. Enos      | Mr. Schenck  |               | 20 |

## FOR THE NEGATIVE.

|               |             |             |   |
|---------------|-------------|-------------|---|
| Mr. Beardsley | Mr. Mather  | Mr. Rexford |   |
| Mr. Benton    | Mr. McCarty | Mr. Throop  |   |
| Mr. Bronson   | Mr. Oliver  | Mr. Todd    | 9 |

Mr. President put the question on the final passage of the engrossed bill entitled "An act to extend the time for filling up the stock of the Merchants' exchange bank of the city of New-York," and it was decided in the affirmative; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |             |               |  |
|---------------|-------------|---------------|--|
| Mr. Armstrong | Mr. Enos    | Mr. Porter    |  |
| Mr. Beardsley | Mr. Gere    | Mr. Rexford   |  |
| Mr. Benton    | Mr. Mather  | Mr. Tallmadge |  |
| Mr. Boughton  | Mr. McCarty | Mr. Throop    |  |

Mr. Bronson  
Mr. Conklin  
Mr. Deitz  
Mr. Eaton

Mr. McLean  
Mr. McMartin  
Mr. Oliver

Mr. Tracy  
Mr. Warren  
Mr. Wheeler

22

## FOR THE NEGATIVE.

Mr. Allen  
Mr. Hubbard

Mr. Sherman

Mr. Todd

4

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to amend an act entitled 'An act extending and supplementary to certain acts providing for the indigent deaf and dumb within this state,' passed April 15, 1825;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Conklin, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Lemuel Was-son;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Mather, from the said committee, reported the same without amendment; which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend the act entitled 'An act providing for the appointment of inspectors of unslaked lime in the county of Greene,' passed March 17, 1829," and after some time spent thereon, Mr. President resumed the chair, and Mr. Bronson, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to appoint commissioners to lay out a road from the village of Marcellus to the village of Syracuse, in the county of Onondaga;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Armstrong, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Charlotte Selby;" and after some time spent thereon, Mr. President resumed the chair, and Mr. McLean, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the Rensselaer glass manufacturing company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported the same with an amendment, which

report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act relative to the Fort-Miller dam, and the assessment and payment of damages;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Enos, from the said committee, reported the same without amendment.

*Ordered*, That said report be laid on the table.

Then the Senate adjourned until 10 o'clock to-morrow morning.

**THURSDAY, 10 O'CLOCK, A. M.—APRIL 8, 1830.**

The Senate met pursuant to adjournment.

Mr. Warren presented two several petitions of sundry inhabitants of Brunswick, Pittstown, Lansingburgh and Hosick, in the county of Rensselaer, praying for the appointment of commissioners to survey, alter and improve a public road therein mentioned; which were read, and referred to the committee on roads and bridges.

Mr. McMartin presented the petition of D. H. Alden, relative to his claim for damages sustained by the construction of the Champlain canal; which was read, and ordered to be laid on the table.

Mr. Deitz presented the petition of sundry inhabitants of Schoharie county, praying for the passage of an act authorising a mutual insurance company in said county; which was read, and referred to a select committee consisting of Mr. Deitz, Mr. Waterman and Mr. Maynard.

Mr. Allen presented the memorial of Walter Bowne and 140 others, citizens of this state, praying that a law may be passed exempting the officers and soldiers of the revolutionary army from imprisonment for debt; which was read, and referred to the committee of the whole, when on the bill to which the subject relates.

Mr. Benton presented two several petitions of sundry inhabitants of the city of New-York, praying for the passage of a law exempting certain officers and soldiers of the revolutionary army from imprisonment for debt; which were read, and referred to the committee of the whole, when on the bill to which the subject relates.

Mr. Conklin presented a document relative to the division of the office of flour inspector in the city of New-York; which was read, and referred to the committee of the whole, when on the bill to which the subject relates.

Mr. Hubbard, from the select committee on the bill from the Assembly entitled "An act to incorporate the village of Sherburne," reported the same without amendment, which was committed to a committee of the whole.

Mr. Waterman, from the committee on canals, on the petition of D. H. Alden, praying for compensation for injury sustained by the Champlain canal, and the report of the commissioners of the canal fund thereon, reported against the prayer of said petition, and offered the following resolution :

*Resolved*, That the prayer of the petition of D. H. Alden be denied :

Which was agreed to by the Senate.

Mr. Deitz, from the committee on manufactures, reported, without amendment, the bill from the Assembly, entitled "An act relating to the inspection of pot and pearl ashes in the city and county of Albany," which was committed to a committee of the whole.

Mr. McMartin, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act to revive an act entitled 'An act to incorporate the Whitehall and Fairhaven turnpike company,'" which was committed to a committee of the whole.

Mr. Waterman, from the committee on canals, on the petition of sundry inhabitants of the counties of Monroe, Livingston, Allegany, Cattaraugus and Genesee, reported a bill entitled "An act directing the survey of a canal route from Rochester to the Allegany river ;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Conklin, from the select committee to which was referred eight several petitions of sundry inhabitants of the counties of Suffolk and Queens, and also the city of New-York, praying for a repeal of so much of the Revised Statutes as prohibits the hunting of deer with hounds and beagles in said county of Suffolk ; and also two several remonstrances from sundry inhabitants of the county of Suffolk against the same, made a report in favor of the prayer of the petitioners, and by leave brought in a bill entitled "An act respecting the hunting of deer in Suffolk county ;" which was read the first time, and by unanimous consent was also read a second time and committed to a committee of the whole.

[See Document No. 394.]

Mr. Todd, from the select committee on the bill from the Assembly, entitled "An act to incorporate the Walden fire company," reported the same with amendments, which was committed to a committee of the whole.

A message was received from his honor the Lieutenant-Governor, delivered by his private secretary, was read, in the words following, to wit :

#### TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to incorporate the Ontario high school."

Also the bill entitled "An act directing the survey of a canal route from Rome to the High falls of the Black river."

Also the bill entitled "An act relative to school district number one, in the town of Palmyra and county of Wayne."

E. T. THROOP.

*Albany, April 6, 1830.*

The bill entitled "An act to incorporate the president, directors and company of the Butchers' and Drovers' bank," was received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

*Ordered*, That the clerk return the same to the Assembly.

Mr. Enos asked for and obtained leave of absence for the remainder of the session, after to-morrow.

The Senate then took up the consideration of the report of the committee of the whole on the bill from the Assembly, entitled "An act relative to the Fort-Miller dam, and the assessment and payment of damages;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Mather, from the committee on enrolled bills, reported three bills as correctly engrossed, of the following titles, to wit:

"An act for the relief of Charlotte Selby:"

"An act for the relief of Lemuel Wasson:"

"An act to appoint commissioners to lay out a road from the village of Marcellus, to the village of Syracuse, in the county of Onondaga."

Thereupon,

The said engrossed bill, entitled "An act for the relief of Charlotte Selby," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Enos     | Mr. Sherman   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Tallmadge |
| Mr. Beardsley | Mr. Mather   | Mr. Throop    |
| Mr. Benton    | Mr. Maynard  | Mr. Todd      |
| Mr. Boughton  | Mr. McCarty  | Mr. Tracy     |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Waterman  |
| Mr. Deitz     | Mr. Rexford  | Mr. Wheeler   |
| Mr. Eaton     | Mr. Schenck  |               |

26

The said engrossed bill, entitled "An act for the relief of Lemuel Wasson," was read the third time and passed.

The said engrossed bill, entitled "An act to appoint commissioners to lay out a road from the village of Marcellus to the village of Syracuse, in the county of Onondaga," was read the third time and passed.

Mr. President put the question on the final passage of the engrossed bill entitled "An act to incorporate the Sidney and Unadil-

la bridge company," and it was decided in the affirmative ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

FOR THE AFFIRMATIVE.

|                |              |               |
|----------------|--------------|---------------|
| Mr. Allen      | Mr. Enos     | Mr. Schenck   |
| Mr. Armstrong. | Mr. Hubbard  | Mr. Sherman   |
| Mr. Beardsley  | Mr. Mather   | Mr. Tallmadge |
| Mr. Benton     | Mr. Maynard  | Mr. Throop    |
| Mr. Boughton   | Mr. McCarty  | Mr. Todd      |
| Mr. Bronson    | Mr. McMartin | Mr. Tracy     |
| Mr. Conklin    | Mr. Oliver   | Mr. Warren    |
| Mr. Deitz      | Mr. Porter   | Mr. Waterman  |
| Mr. Eaton      | Mr. Rexford  | Mr. Wheeler   |

27

*Ordered,* That the clerk deliver said bills to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled " An act to incorporate the Rensselaer glass manufacturing company," with the engrossed amendments, was read the third time and passed ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Hubbard  | Mr. Schenck   |
| Mr. Armstrong | Mr. Mather   | Mr. Sherman   |
| Mr. Beardsley | Mr. Maynard  | Mr. Tallmadge |
| Mr. Benton    | Mr. McCarty  | Mr. Throop    |
| Mr. Boughton  | Mr. McLean   | Mr. Todd      |
| Mr. Bronson   | Mr. McMartin | Mr. Tracy     |
| Mr. Conklin   | Mr. Oliver   | Mr. Warren    |
| Mr. Deitz     | Mr. Porter   | Mr. Waterman  |
| Mr. Eaton     | Mr. Rexford  | Mr. Wheeler   |
| Mr. Enos      |              |               |

28

*Ordered,* That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill from the Assembly, entitled " An act to amend the act entitled ' An act providing for the appointment of inspectors of unslaked lime in the county of Greene,' passed March 17, 1829," was read the third time and passed.

*Ordered,* That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled " An act to amend an act entitled ' An act extending and supplementary to certain acts providing for the indigent deaf and dumb within this state,' passed April 15, 1825 ;" and after some time spent thereon, Mr. President resumed the chair, and



Mr. Conklin, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act relative to the Great Island turnpike company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the Cairo bridge company,' passed April 9, 1805, and the several acts amending the same;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Orphan asylum society in the village of Utica;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Boughton, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act directing the appointment of two additional inspectors of flour and meal in the city of New-York, and regulating the inspection thereof;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Mather, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate a fire company at Fishkill landing, in the county of Dutchess;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Enos, from the said committee, reported that the committee had disagreed to said bill.

Mr. President put the question on agreeing to said report, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

#### FOR THE AFFIRMATIVE.

|              |             |             |
|--------------|-------------|-------------|
| Mr. Allen    | Mr. Conklin | Mr. Sherman |
| Mr. Benton   | Mr. Mather, | Mr. Throop  |
| Mr. Boughton | Mr. Maynard | Mr. Tracy   |
| Mr. Bronson  | Mr. Rexford |             |

11

#### FOR THE NEGATIVE.

|               |             |            |
|---------------|-------------|------------|
| Mr. Armstrong | Mr. Gere    | Mr. Oliver |
| Mr. Deitz     | Mr. McCarty | Mr. Todd   |
| Mr. Enos      |             |            |

7

Thereupon,

*Resolved*, That said bill be rejected.

*Ordered*, That the clerk deliver said bill and a copy of said resolution to the Assembly.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising the supervisors of the county of St. Lawrence to levy a tax on the inhabitants of the town of Potsdam, to build a bridge across the Raquet river, in the village of Potsdam;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

**FRIDAY, 10 O'CLOCK, A. M.—APRIL 9, 1830.**

The Senate met pursuant to adjournment.

Mr. McCarty presented the petition of Charles A. Keeler and others, praying for the incorporation of a society for religious and moral instruction in the city of Albany; which was read, and referred to a select committee, consisting of the members attending the Senate from the third senate district.

Mr. McMartin, from the committee on roads and bridges, on the petition of sundry inhabitants of the towns of Brunswick, Pittstown, Lansingburgh and Hosick, in the county of Rensselaer, reported a bill entitled "An act appointing commissioners to lay out and improve the road from Lansingburgh, in the county of Rensselaer, to Bennington, in the state of Vermont;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Benton, from the committee on the judiciary, reported, without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act concerning the election of justices of the peace,' passed May 4, 1829," which was committed to a committee of the whole.

Mr. Hubbard from the committee on claims, to which was referred the petition of Nathan Underwood, made a report in favor of the prayer of the petitioner, and brought in a bill entitled "An act for the relief of Nathan Underwood;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

[See Document No. 395.]

A message from his honor the Lieutenant-Governor, delivered by his private secretary, was read in the words following, to wit:

## TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to extend the time for filling up the stock of the National bank of the city of New-York :"

Also the bill entitled "An act to incorporate the Jefferson cotton mills."

Also the bill entitled "An act relative to the court of general sessions of the county of Erie."

E. T. THROOP.

*Albany, April 7, 1830.*

A report was received from the commissioners of the land-office, on the petition of Samuel Stevenson ; which was read, and together with the petition, referred to the committee on finance.

[See Document No. 396.]

The bill entitled "An act to authorise a sale of the school lot in the village of Oswego," was received from the Assembly, with a message that they had passed the same without amendment, and was presented to his honor the Lieutenant-Governor by the clerk.

Three bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act to incorporate the president, directors and company of the Mechanics' and Traders' bank :"

"An act to incorporate the president, directors and company of the Montgomery county bank :"

"An act to incorporate the president, directors and company of the Onondaga county bank :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on banks and insurance companies.

Two bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act concerning the powers and duties of commissioners of deeds :"

"An act extending the jurisdiction of the mayor's court of the city of Albany :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act authorising the sale of certain lands in the village of Lewiston ;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act to amend the eighth section, of the fifth article, of the second title, of the fifteenth chapter, of the first part of the Revised Statutes ;" which was read the first time, and by unanimous consent

was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act passed February 19, 1829, relative to the port wardens, harbor masters and pilots of the port of New-York;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the first senate district.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the medical society of the county of Herkimer to alter the time of holding their anniversary meeting;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the fifth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to amend 'An act appointing commissioners to lay out certain roads therein mentioned, in the county of Broome,' passed March 31, 1817;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the sixth senate district.

On motion of Mr. Armstrong,

*Ordered*, That D. H. Alden have leave to withdraw his petition and papers.

Mr. McMartin moved a preamble and resolutions in the words following, to wit:

**WHEREAS** the government of this state, has at several periods relieved the pecuniary distresses of its citizens, by a loan of moneys at a moderate rate of interest, secured by bond and mortgage on real estate; the payment of annual interest; and finally, of the principal guaranteed by the several counties receiving such loans:

*And whereas* it is apprehended, that at no former period did the agricultural and other producing classes of our citizens, encounter greater embarrassments in meeting their engagements, than at the present time, nor is the prospect ahead more flattering, owing principally to the depression of real estates, and of their productions, together with the consequent difficulty, if not utter impossibility, of raising funds upon their pledge approximating to their cost, or at a rate of interest warranted by their nett products:

*And whereas* it is equally incumbent on a wise and just government, to provide a remedy adapted to the exigencies of these interests, although scattered and diversified, and consequently not so easily concentrated and presented, as it is to aid the operations of its commercial interests, through the medium of banking credits, or otherwise:

*And whereas* it is believed that the principal of the school and literature funds, may be as safely invested in such loans, as in the manner now directed by law, and that such investment may be anticipated, by creating a stock on a pledge of those funds, which stock may be profitably taken by the canal fund; thus yielding a better revenue to the canal fund, to the school and literature funds: and by the operation, alleviate the pecuniary distresses of many va-

luable citizens, by loans at a rate of interest not exceeding six per cent per annum :

Therefore,

*Resolved*, (if the honorable the Assembly concur,) That the question be submitted to the board of supervisors of the respective counties of this state, whether or not, in their judgment, the interests of their constituents will be promoted by the making such loan as aforesaid ; if yea, what amount would be required to render it desirable ?

*Resolved*, That the Comptroller be directed to transmit a copy of these resolutions to the different clerks of the boards of supervisors, to be laid before such boards at their next annual meeting ; and that he solicit a seasonable communication of the result of their deliberations thereupon ; and

*Resolved*, That if a considerable number of the counties decide affirmatively, then the Comptroller is directed to prepare a scheme of finance accordingly, to be presented to the Legislature at an early day at their next session.

*Ordered*, That said resolutions be laid on the table, and that the same be printed.

On motion of Mr. McCarty,

*Ordered*, That the bill entitled " An act relating to common schools in the city of Albany," be made the special order of the day for Monday next.

The Senate then took up the consideration of the resolution offered by Mr. Boughton on the 1st of April instant, for holding an afternoon session, which was amended by the mover, and again read in the words following, to wit :

*Resolved*, That the Senate will hereafter hold an afternoon session, commencing at four o'clock, and be confined to legislative business in committee of the whole.

Mr. Todd made a motion to amend said resolution, by striking out the word " hereafter," in the first line thereof, and inserting in lieu thereof the words " after the present week."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit :

#### FOR THE AFFIRMATIVE.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Eaton   | Mr. Tallmadge |
| Mr. Beardsley | Mr. McLean  | Mr. Throop    |
| Mr. Bronson   | Mr. Porter  | Mr. Todd      |
| Mr. Conklin   | Mr. Schenck | Mr. Tracy     |
| Mr. Deitz     | Mr. Sherman |               |

14

#### FOR THE NEGATIVE.

|               |             |              |
|---------------|-------------|--------------|
| Mr. Armstrong | Mr. Hubbard | Mr. McMartin |
| Mr. Benton    | Mr. Mather  | Mr. Oliver   |
| Mr. Boughton  | Mr. Maynard | Mr. Rexford  |
| Mr. Gere      | Mr. McCarty | Mr. Wheeler  |

12

Thereupon,

The Senate agreed to said resolution as amended, in the words following, to wit:

*Resolved*, That the Senate will, after the present week, hold an afternoon session, commencing at four o'clock, and be confined to legislative business in committee of the whole.

On motion of Mr. Todd,

*Resolved*, That the Senate reconsider their vote of yesterday, on the question of agreeing to the report of the committee of the whole on the bill from the Assembly, entitled "An act to incorporate a fire company at Fishkill landing, in the county of Dutchess."

*Ordered*, That said bill be recommitted to a committee of the whole.

On motion of Mr. Benton,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act for the relief of the grantee of Arthur Cazenove," and that the same be engrossed for a third reading.

The Senate then took up the consideration of the following resolutions, which were agreed to:

*Resolved*, That the Senate applaud the motives and approve the objects of the American colonization society, and have full confidence in the fidelity, discretion and ability of its executive officers.

*Resolved*, That as the said society proposes to remove or mitigate existing evils, and prevent or diminish apprehended dangers, it deserves the confidence and encouragement of the American people.

*Resolved*, That the Senate commend the said society to the consideration and patronage of the citizens of this state.

*Resolved*, That these resolutions be transmitted to the honorable the Assembly for their consideration.

*Ordered*, That the clerk deliver a copy of said resolutions to the Assembly.

Mr. Mather, from the committee on enrolled bills, reported the bill entitled "An act to incorporate the orphan asylum society in the village of Utica," as correctly engrossed.

Thereupon,

The said engrossed bill was read the third time, and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

#### FOR THE AFFIRMATIVE.

Mr. Allen  
Mr. Armstrong  
Mr. Beardsley  
Mr. Benton  
Mr. Boughton  
Mr. Bronson  
Mr. Conklin  
Mr. Deitz  
Mr. Eaton

Mr. Gere  
Mr. Hubbard  
Mr. Mather  
Mr. Maynard  
Mr. McCarty  
Mr. McLean  
Mr. McMartin  
Mr. Oliver

Mr. Porter  
Mr. Rexford  
Mr. Schenck  
Mr. Sherman  
Mr. Tallmadge  
Mr. Throop  
Mr. Todd  
Mr. Wheeler

luable citizens, by loans at a rate of interest not exceeding six per cent per annum :

Therefore,

*Resolved*, (if the honorable the Assembly concur,) That the question be submitted to the board of supervisors of the respective counties of this state, whether or not, in their judgment, the interests of their constituents will be promoted by the making such loan as aforesaid ; if yea, what amount would be required to render it desirable ?

*Resolved*, That the Comptroller be directed to transmit a copy of these resolutions to the different clerks of the boards of supervisors, to be laid before such boards at their next annual meeting ; and that he solicit a seasonable communication of the result of their deliberations thereupon ; and

*Resolved*, That if a considerable number of the counties decide affirmatively, then the Comptroller is directed to prepare a scheme of finance accordingly, to be presented to the Legislature at an early day at their next session.

*Ordered*, That said resolutions be laid on the table, and that the same be printed.

On motion of Mr. McCarty,

*Ordered*, That the bill entitled "An act relating to common schools in the city of Albany," be made the special order of the day for Monday next.

The Senate then took up the consideration of the resolution offered by Mr. Boughton on the 1st of April instant, for holding an afternoon session, which was amended by the mover, and again read in the words following, to wit :

*Resolved*, That the Senate will hereafter hold an afternoon session, commencing at four o'clock, and be confined to legislative business in committee of the whole.

Mr. Todd made a motion to amend said resolution, by striking out the word "hereafter," in the first line thereof, and inserting in lieu thereof the words "after the present week."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit :

#### FOR THE AFFIRMATIVE.

Mr. Allen  
Mr. Beardsley  
Mr. Bronson  
Mr. Conklin  
Mr. Deitz

Mr. Eaton  
Mr. McLean  
Mr. Porter  
Mr. Schenck  
Mr. Sherman

Mr. Tallmadge  
Mr. Throop  
Mr. Todd  
Mr. Tracy

#### FOR THE NEGATIVE.

Mr. Armstrong  
Mr. Benton  
Mr. Boughton  
Mr. Gere

Mr. Hubbard  
Mr. Mather  
Mr. Maynard  
Mr. McCarty

Mr. Mc  
Mr. Ol  
Mr. R  
Mr.

Thereupon,

The Senate agreed to said resolution as amended, in the words following, to wit:

**Resolved**, That the Senate will, after the present week, hold an afternoon session, commencing at four o'clock, and be confined to legislative business in committee of the whole.

On motion of Mr. Todd,

**Resolved**, That the Senate reconsider their vote of yesterday, on the question of agreeing to the report of the committee of the whole on the bill from the Assembly, entitled "An act to incorporate a fire company at Fishkill landing, in the county of Dutchess."

**Ordered**, That said bill be recommitted to a committee of the whole.

On motion of Mr. Benton,

**Ordered**, That the committee of the whole be discharged from the further consideration of the bill entitled "An act for the relief of the grantee of Arthur Canenove," and that the same be engrossed for a third reading.

The Senate then took up the consideration of the following resolutions, which were agreed to:

**Resolved**, That the Senate applaud the motives and approve the objects of the American colonization society, and have full confidence in the fidelity, discretion and ability of its executive officers.

**Resolved**, That as the said society proposes to remove or mitigate existing evils, and prevent or diminish apprehended dangers, it deserves the confidence and encouragement of the American people.

**Resolved**, That the Senate commend the said society to the consideration and patronage of the citizens of this state.

**Resolved**, That these resolutions be transmitted to the honorable the Assembly for their consideration.

**Ordered**, That the clerk deliver a copy of said resolutions to the Assembly.

Mr. Mather, from the committee on enrolled bills, reported the bill entitled "An act to incorporate the orphan asylum society in the village of Utica," as correctly engrossed.

Thereupon,

The said engrossed bill was read the third time, and passed: two-thirds of all the members elected, voting in favor thereof, as follows, to wit:

Mr. Allen

Mr. B.

Mr. C.

Mr. D.

Mr. E.

Mr. F.

Mr. G.

Mr. H.

Mr. I.

Mr. J.

Mr. K.

Mr. L.

Mr. M.

Mr. N.

Mr. O.

Mr. P.

Mr. Q.

Mr. R.

Mr. S.

Mr. T.

Mr. U.

Mr. V.

Mr. W.

Mr. X.

Mr. Y.

Mr. Z.

Mr. A.

Mr. B.

Mr. C.

Mr. D.

Mr. E.

Mr. F.

Mr. G.

Mr. H.

Mr. I.

Mr. J.

Mr. K.

Mr. L.

Mr. M.

Mr. N.

Mr. O.

Mr. P.

Mr. Q.

Mr. R.

Mr. S.

Mr. T.

Mr. U.

Mr. V.

Mr. W.

Mr. X.

Mr. Y.

Mr. Z.

Mr. A.

Mr. B.

Mr. C.

Mr. D.

Mr. E.

Mr. F.

Mr. G.

Mr. H.

Mr. I.

Mr. J.

Mr. K.

Mr. L.

Mr. M.

Mr. N.

Mr. O.

Mr. P.

Mr. Q.

Mr. R.

Mr. S.

Mr. T.

Mr. U.

Mr. V.

Mr. W.

Mr. X.

Mr. Y.

Mr. Z.

Mr. A.

Mr. B.

Mr. C.

Mr. D.

Mr. E.

Mr. F.

Mr. G.

Mr. H.

Mr. I.

Mr. J.

Mr. K.

Mr. L.

Mr. M.

Mr. N.

Mr. O.

Mr. P.

Mr. Q.

Mr. R.

Mr. S.

Mr. T.

Mr. U.

Mr. V.

Mr. W.

Mr. X.

Mr. Y.

Mr. Z.

Mr. A.

Mr. B.

Mr. C.

Mr. D.

Mr. E.

Mr. F.

Mr. G.

Mr. H.

Mr. I.

Mr. J.

Mr. K.

Mr. L.

Mr. M.

Mr. N.

Mr. O.

Mr. P.

Mr. Q.

Mr. R.

Mr. S.

Mr. T.

Mr. U.

Mr. V.

Mr. W.

Mr. X.

Mr. Y.

Mr. Z.

Mr. A.

Mr. B.

Mr. C.

Mr. D.

Mr. E.

Mr. F.

Mr. G.

Mr. H.

Mr. I.

Mr. J.

Mr. K.

Mr. L.

Mr. M.

Mr. N.

Mr. O.

Mr. P.

Mr. Q.

Mr. R.

Mr. S.

Mr. T.

Mr. U.

Mr. V.

Mr. W.

Mr. X.

Mr. Y.

Mr. Z.

Mr. A.

Mr. B.

Mr. C.

Mr. D.

Mr. E.

Mr. F.

Mr. G.

Mr. H.

Mr. I.

Mr. J.

Mr. K.

Mr. L.

Mr. M.

Mr. N.

Mr. O.

Mr. P.

Mr. Q.

Mr. R.

Mr. S.

Mr. T.

Mr. U.

Mr. V.

Mr. W.

Mr. X.

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Mr. A.

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Mr. H.

Mr. I.

Mr. J.

Mr. K.

Mr. L.

Mr. M.

Mr. N.

Mr. O.

Mr. P.

Mr. Q.

Mr. R.

Mr. S.

Mr. T.

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Mr. P.

Mr. Q.

Mr. R.

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Mr. L.

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Mr. N.

Mr. O.

Mr. P.

Mr. Q.

Mr. R.

Mr. S.

Mr. T.

Mr. U.

Mr. V.

Mr. W.

Mr. X.

Mr. Y.

Mr. Z.

Mr. A.

Mr. B.

Mr. C.

Mr. D.

Mr. E.

Mr. F.

Mr. G.

Mr. H.

Mr. I.

Mr. J.



*Ordered*, That the clerk deliver the said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act relative to the Fort-Miller dam, and the assessment and payment of damages," was read the third time and passed.

The yeas and nays being moved and seconded, were as follows, to wit :

**FOR THE AFFIRMATIVE.**

|               |              |               |    |
|---------------|--------------|---------------|----|
| Mr. Allen     | Mr. Gere     | Mr. Oliver    |    |
| Mr. Beardsley | Mr. Hubbard  | Mr. Porter    |    |
| Mr. Benton    | Mr. Mather   | Mr. Sherman   |    |
| Mr. Boughton  | Mr. Maynard  | Mr. Tallmadge |    |
| Mr. Bronson   | Mr. McCarty  | Mr. Throop    |    |
| Mr. Conklin   | Mr. McLean   | Mr. Tracy     |    |
| Mr. Deitz     | Mr. McMartin |               | 20 |

**FOR THE NEGATIVE.**

|               |             |             |   |
|---------------|-------------|-------------|---|
| Mr. Armstrong | Mr. Schenck | Mr. Wheeler |   |
| Mr. Rexford   | Mr. Todd    |             | 5 |

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to amend an act entitled 'An act extending and supplementary to certain acts providing for the indigent deaf and dumb within this state,' passed April 15, 1825;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Conklin, from the said committee, reported the same with amendments, and an alteration of the title, by adding at the end thereof the words "and for other purposes."

*Ordered*, That said report be laid on the table.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate a fire company at Fishkill landing in the county of Dutchess;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Boughton, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to amend the act entitled 'An act to authorise the erection of a new court-house and jail in the county of Onondaga,' passed April 5, 1828;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Beardsley, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act relative to the Great Island

turnpike company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the Cairo bridge company,' passed April 9, 1805, and the several acts amending the same;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

After the consideration of executive business, the Senate adjourned until 10 o'clock to-morrow morning.

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**SATURDAY, 10 O'CLOCK, A. M.—APRIL 10, 1830.**

The Senate met pursuant to adjournment.

Mr. Benton, from the committee on the judiciary, to which was referred the report of the special counsel on the subject of the abduction of William Morgan; also the report of the circuit judge of the eight circuit relative to the testimony given upon the late trial of Elihu Mather, in Orleans county, made in obedience to a resolution of the Senate of the 29th day of January last past; and also the report of the Comptroller made in obedience to a resolution of the Senate, directing him to report a statement of the amount of monies paid to the special counsel, under the act passed April 15, 1828, and the act to continue the same, passed April 6th, 1829, designating the amount paid to each counsel or person appointed under said acts; reported a bill entitled "An act directing a special circuit court to be held in the county of Niagara, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole, and ordered to be printed.

Mr. Benton, from the same committee, reported without amendment, the bill from the Assembly, entitled "An act concerning the powers and duties of commissioners of deeds," which was committed to a committee of the whole.

Mr. McLean, from the committee on literature, reported without amendment, the bill from the Assembly, entitled "An act to amend the eighty-eighth section, of the fifth article, of the second title, of the fifteenth chapter of the first part of the Revised Statutes," which was committed to a committee of the whole.

Mr. Allen, from the committee on banks and insurance companies, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the president, directors and company of the

Mechanics' and Traders' bank," which was committed to a committee of the whole.

A report was received from the Regents of the University, on a resolution of the Senate of the 20th day of March last, requiring the opinion of the Regents as to the best mode of distributing the literature fund, which was read, and referred to the committee on literature.

[See Document No. 400.]

Mr. Sherman from the committee on enrolled bills, reported three bills as correctly engrossed, of the following titles, to wit :

"An act to amend an act entitled 'An act to authorise the erection of a new court-house and jail in the county of Onondaga,' passed April 5, 1828 :"

"An act relative to the Great-Island turnpike company :"

"An act for the relief of the grantee of Arthur Cazenove."

Thereupon,

The said engrossed bill entitled "An act to amend the act entitled 'An act to authorise the erection of a new court-house and jail in the county of Onondaga,' passed April 5, 1828," was read the third time, and the question on its final passage ordered to be laid on the table.

The said engrossed bill entitled "An act relative to the Great Island turnpike company," was read the third time and passed ; two-thirds of all the members elected to the Senate voting in favor thereof as follows, to wit :

#### FOR THE AFFIRMATIVE.

|               |              |              |
|---------------|--------------|--------------|
| Mr. Allen     | Mr. Gere     | Mr. Rexford  |
| Mr. Armstrong | Mr. Hubbard  | Mr. Schenck  |
| Mr. Beardsley | Mr. Maynard  | Mr. Sherman  |
| Mr. Benton    | Mr. McCarty  | Mr. Throop   |
| Mr. Boughton  | Mr. McLean   | Mr. Todd     |
| Mr. Bronson   | Mr. McMartin | Mr. Tracy    |
| Mr. Conklin   | Mr. Oliver   | Mr. Waterman |
| Mr. Deitz     | Mr. Porter   | Mr. Wheeler  |
| Mr. Eaton     |              |              |

25

The said engrossed bill entitled "An act for the relief of the grantee of Arthur Cazenove," was read the third time and passed ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

#### FOR THE AFFIRMATIVE.

|               |             |             |
|---------------|-------------|-------------|
| Mr. Allen     | Mr. Eaton   | Mr. Porter  |
| Mr. Armstrong | Mr. Gere    | Mr. Rexford |
| Mr. Beardsley | Mr. Hubbard | Mr. Schenck |
| Mr. Benton    | Mr. Maynard | Mr. Sherman |

|              |              |              |    |
|--------------|--------------|--------------|----|
| Mr. Boughton | Mr. McCarty  | Mr. Throop   |    |
| Mr. Bronson  | Mr. McLean   | Mr. Todd     |    |
| Mr. Conklin  | Mr. McMartin | Mr. Waterman |    |
| Mr. Deitz    | Mr. Oliver   | Mr. Wheeler  | 24 |

*Ordered*, That the clerk deliver said bills to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act to incorporate a fire company at Fishkill landing, in the county of Dutchess," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit.

**FOR THE AFFIRMATIVE.**

|               |              |              |    |
|---------------|--------------|--------------|----|
| Mr. Allen     | Mr. Gere     | Mr. Rexford  |    |
| Mr. Armstrong | Mr. Hubbard  | Mr. Schenck  |    |
| Mr. Beardsley | Mr. Maynard  | Mr. Sherman  |    |
| Mr. Benton    | Mr. McCarty  | Mr. Throop   |    |
| Mr. Boughton  | Mr. McLean   | Mr. Todd     |    |
| Mr. Conklin   | Mr. McMartin | Mr. Tracy    |    |
| Mr. Deitz     | Mr. Oliver   | Mr. Waterman |    |
| Mr. Eaton     | Mr. Porter   | Mr. Wheeler  | 24 |

The bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the Cairo bridge company,' passed April 9th, 1805," and the several acts amending the same," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |              |              |    |
|---------------|--------------|--------------|----|
| Mr. Allen     | Mr. Gere     | Mr. Rexford  |    |
| Mr. Armstrong | Mr. Hubbard  | Mr. Schenck  |    |
| Mr. Beardsley | Mr. Maynard  | Mr. Sherman  |    |
| Mr. Benton    | Mr. McCarty  | Mr. Throop   |    |
| Mr. Boughton  | Mr. McLean   | Mr. Todd     |    |
| Mr. Conklin   | Mr. McMartin | Mr. Tracy    |    |
| Mr. Deitz     | Mr. Oliver   | Mr. Waterman |    |
| Mr. Eaton     | Mr. Porter   | Mr. Wheeler  | 24 |

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same, severally, without amendment.

Mr. President put the question on the final passage of the engrossed bill, entitled "An act to amend the act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813," and it was decided in the negative; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

Mechanics' and Traders' bank," which was committed to a committee of the whole.

A report was received from the Regents of the University, on a resolution of the Senate of the 20th day of March last, requiring the opinion of the Regents as to the best mode of distributing the literature fund, which was read, and referred to the committee on literature.

[See Document No. 400.]

Mr. Sherman from the committee on enrolled bills, reported three bills as correctly engrossed, of the following titles, to wit :

"An act to amend an act entitled 'An act to authorise the erection of a new court-house and jail in the county of Onondaga,' passed April 5, 1828 :"

"An act relative to the Great-Island turnpike company :"

"An act for the relief of the grantee of Arthur Cazenove."

Thereupon,

The said engrossed bill entitled "An act to amend the act entitled 'An act to authorise the erection of a new court-house and jail in the county of Onondaga,' passed April 5, 1828," was read the third time, and the question on its final passage ordered to be laid on the table.

The said engrossed bill entitled "An act relative to the Great Island turnpike company," was read the third time and passed ; two-thirds of all the members elected to the Senate voting in favor thereof as follows, to wit :

#### FOR THE AFFIRMATIVE.

|               |              |              |
|---------------|--------------|--------------|
| Mr. Allen     | Mr. Gere     | Mr. Rexford  |
| Mr. Armstrong | Mr. Hubbard  | Mr. Schenck  |
| Mr. Beardsley | Mr. Maynard  | Mr. Sherman  |
| Mr. Benton    | Mr. McCarty  | Mr. Throop   |
| Mr. Boughton  | Mr. McLean   | Mr. Todd     |
| Mr. Bronson   | Mr. McMartin | Mr. Tracy    |
| Mr. Conklin   | Mr. Oliver   | Mr. Waterman |
| Mr. Deitz     | Mr. Porter   | Mr. Wheeler  |
| Mr. Eaton     |              |              |

25

The said engrossed bill entitled "An act for the relief of the grantee of Arthur Cazenove," was read the third time and passed ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

#### FOR THE AFFIRMATIVE.

|               |             |             |
|---------------|-------------|-------------|
| Mr. Allen     | Mr. Eaton   | Mr. Porter  |
| Mr. Armstrong | Mr. Gere    | Mr. Rexford |
| Mr. Beardsley | Mr. Hubbard | Mr. Schenck |
| Mr. Benton    | Mr. Maynard | Mr. Sherman |

|              |              |              |    |
|--------------|--------------|--------------|----|
| Mr. Boughton | Mr. McCarty  | Mr. Throop   |    |
| Mr. Bronson  | Mr. McLean   | Mr. Todd     |    |
| Mr. Conklin  | Mr. McMartin | Mr. Waterman |    |
| Mr. Deitz    | Mr. Oliver   | Mr. Wheeler  | 24 |

*Ordered*, That the clerk deliver said bills to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act to incorporate a fire company at Fishkill landing, in the county of Dutchess," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit.

**FOR THE AFFIRMATIVE.**

|               |              |              |    |
|---------------|--------------|--------------|----|
| Mr. Allen     | Mr. Gere     | Mr. Rexford  |    |
| Mr. Armstrong | Mr. Hubbard  | Mr. Schenck  |    |
| Mr. Beardsley | Mr. Maynard  | Mr. Sherman  |    |
| Mr. Benton    | Mr. McCarty  | Mr. Throop   |    |
| Mr. Boughton  | Mr. McLean   | Mr. Todd     |    |
| Mr. Conklin   | Mr. McMartin | Mr. Tracy    |    |
| Mr. Deitz     | Mr. Oliver   | Mr. Waterman |    |
| Mr. Eaton     | Mr. Porter   | Mr. Wheeler  | 24 |

The bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the Cairo bridge company,' passed April 9th, 1805," and the several acts amending the same," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |              |              |    |
|---------------|--------------|--------------|----|
| Mr. Allen     | Mr. Gere     | Mr. Rexford  |    |
| Mr. Armstrong | Mr. Hubbard  | Mr. Schenck  |    |
| Mr. Beardsley | Mr. Maynard  | Mr. Sherman  |    |
| Mr. Benton    | Mr. McCarty  | Mr. Throop   |    |
| Mr. Boughton  | Mr. McLean   | Mr. Todd     |    |
| Mr. Conklin   | Mr. McMartin | Mr. Tracy    |    |
| Mr. Deitz     | Mr. Oliver   | Mr. Waterman |    |
| Mr. Eaton     | Mr. Porter   | Mr. Wheeler  | 24 |

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same, severally, without amendment.

Mr. President put the question on the final passage of the engrossed bill, entitled "An act to amend the act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813," and it was decided in the negative; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |             |
|---------------|--------------|-------------|
| Mr. Armstrong | Mr. Conklin  | Mr. Porter  |
| Mr. Benton    | Mr. McCarty  | Mr. Rexford |
| Mr. Boughton  | Mr. McMartin | Mr. Schenck |
| Mr. Bronson   | Mr. Oliver   | Mr. Throop  |

12

## FOR THE NEGATIVE.

|               |             |              |
|---------------|-------------|--------------|
| Mr. Allen     | Mr. Gere    | Mr. Sherman  |
| Mr. Beardsley | Mr. Hubbard | Mr. Todd     |
| Mr. Deitz     | Mr. Maynard | Mr. Waterman |
| Mr. Eaton     |             |              |

10

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act directing the appointment of two additional inspectors of flour and meal in the city of New-York, and regulating the inspection thereof;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Boughton, from the said committee, reported the same with amendments and an alteration of the title, so as to read "An act directing the appointment of an additional inspector of flour and meal in the city of New-York, and regulating the inspection thereof;" which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising the supervisors of the county of St. Lawrence to levy a tax on the inhabitants of the town of Potsdam, to build a bridge across the Racket river, in the village of Potsdam;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to facilitate the transfer of the public stocks of this state," and the bill entitled "An act to exempt certain officers and soldiers of the revolutionary army from imprisonment for debt;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Bronson, from the said committee, reported the said bills, severally, without amendment, which was agreed to by the Senate, and the bills ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Hudson and Delaware rail-road company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Sherman, from the said committee, reported the same with amendments, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The bill entitled "An act continuing and regulating a ferry across the Hudson river, in the town of Phillips, in the county of Putnam;" was received from the Assembly, with a message that they had passed the same without amendment, and was presented to his honor the Lieutenant-Governor by the clerk.

The bill entitled "An act to enable resident aliens to hold and convey real estate," was received from the Assembly, with a message that they had passed the same with the amendments therewith delivered.

The said amendments having been read :

*Resolved*, That the Senate do concur with the Assembly in their amendments to the said bill.

*Ordered*, That the clerk deliver said bill and a copy of said resolution to the Assembly.

The bill entitled "An act to alter the town lines of Milford, Otsego and Huntsville, in the county of Otsego," was received from the Assembly, with a message that they had passed the same with the amendments therewith delivered.

The said amendments having been read,

*Resolved*, That the Senate do concur with the Assembly in their amendments to said bill.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

The bill entitled "An act authorising the Comptroller to assign to George McClure a certain bond and mortgage," was received from the Assembly, with a message that they had passed the same, with the amendments therewith delivered.

*Ordered*, That said bill and amendments be laid on the table.

Four bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act relative to the court of general sessions in the county of Broome :"

"An act vesting in the United States of America jurisdiction over a certain piece of land in the town of Watervliet, in the county of Albany :"

"An act for the relief of Elizabeth Payne, Isaac Stiles and Elizabeth Stiles :"

"An act authorising Joseph Hoar to change his name :"

Which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Ezra Thorp ;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act prescribing the figure and size of the stick used in measuring dry commodities not heaped ;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

Two bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act fixing the salary of the librarian of the state library :"

"An act to loan money to the county of Clinton :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on finance.



the librarian of the state library," made a report in favor of the passage of the same.

*Ordered*, That the said bill and report be committed to a committee of the whole.

[*See Document No. 401.*]

Mr. Benton, from the committee on the judiciary, reported, without amendment, three bills from the Assembly, of the following titles, to wit:

"An act for the relief of Elizabeth Payne, Isaac Stiles and Elizabeth Stiles."

"An act relative to the court of general sessions in the county of Broome."

"An act to authorise Joseph Hoar to alter his name."

Which were committed to a committee of the whole.

Mr. Benton, from the same committee, reported, without amendment, the bill from the Assembly, entitled "An act vesting in the United States of America, jurisdiction over a certain piece of land in the town of Watervliet, in the county of Albany;" which was committed to a committee of the whole.

Mr. Deitz, from the committee on manufactures, reported, without amendment, the bill from the Assembly, entitled "An act prescribing the figure and size of the stick used in measuring dry commodities not heaped;" which was committed to a committee of the whole.

Mr. Hubbard, from the select committee on the bill from the Assembly, entitled "An act to amend 'An act appointing commissioners to lay out certain roads therein mentioned, in the county of Broome,' passed March 31, 1817," reported the same with amendments, which was committed to a committee of the whole.

Mr. Allen, from the select committee on the bill from the Assembly, entitled "An act to enable the mayor, aldermen and commonalty of the city of New-York, to raise money by a tax," reported the same without amendment, which was ordered to a third reading.

Mr. McMartin, from the select committee on the bill from the Assembly, entitled "An act authorising the supervisors of the county of St. Lawrence to levy a tax on the inhabitants of the town of Oswegatchie, to build a bridge across the Oswegatchie river, at the village of Heuvel," reported the same without amendment, which was committed to a committee of the whole.

Mr. Beardsley, from the select committee, on the bill from the Assembly, entitled "An act further to amend an act entitled 'An act to incorporate the Catskill and Ithaca rail-road company,' passed April 21, 1828," reported the same without amendment, which was ordered to a third reading.

Mr. McCarty from the select committee on the bill from the Assembly, entitled "An act relative to the jail limits of the county of Schenectady," reported the same without amendment, which was committed to a committee of the whole.

Mr. Conklin, from the select committee on the bill from the Assembly, entitled "An act to amend the act passed February 19,

1839, relative to the port wardens, harbor masters and pilots of the port of New-York," reported the same without amendment, which was committed to a committee of the whole.

Mr. Benton, from the select committee on the bill from the Assembly, entitled "An act to authorise the medical society of the county of Herkimer to alter the time of holding their anniversary meeting," reported the same without amendment, which was committed to a committee of the whole.

Mr. Boughton, from the select committee on the bill from the Assembly, entitled "An act to authorise Clark Hilton to erect a dam and lock upon Tonawanda creek," reported the same without amendment, which was committed to a committee of the whole.

Mr. Throop, from the committee of conference, on the bill entitled "An act relative to the court of common pleas, for the city and county of New-York," reported ; recommending the adoption of several additional sections, which were read.

Thereupon,

*Resolved*, That the Senate do agree to the report of said committee.

*Ordered*, That the clerk deliver said bill and report, and a copy of said resolution to the Assembly.

A report was received from the late revisers of the laws, on a concurrent resolution of the two Houses, accompanied with a bill entitled "An act to amend certain provisions of the Revised Statutes, and in addition thereto;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary, and ordered to be printed.

[See Document No. 404.]

Mr. Tracy, from the committee on enrolled bills, reported seven bills as correctly engrossed, of the following titles, to wit:

"An act to facilitate the transfer of the public stocks of this state:"

"An act to exempt certain officers and soldiers of the revolutionary army from imprisonment for debt:"

"An act amending the several acts relating to the Schaghticoke point bridge company, passed March 23, 1799, June 9, 1812, and April 17, 1815."

"An act to incorporate the Phoenix bridge company:"

"An act to amend an act entitled 'An act extending and supplementary to certain acts providing for the indigent deaf and dumb within this state,' passed 15th April, 1825, and for other purposes:"

"An act to incorporate the Hudson and Delaware rail-road company;"

"An act directing the appointment of an additional inspector of flour and meal in the city of New-York, and regulating the inspection thereof."

Thereupon,

The said engrossed bill entitled "An act to incorporate the Hudson and Delaware rail-road company," was read the third time, and the question on its final passage ordered to be laid on the table.

The said engrossed bill, entitled "An act to facilitate the transfer of the public stocks of this state," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |             |             |
|---------------|-------------|-------------|
| Mr. Allen     | Mr. Eaton   | Mr. Porter  |
| Mr. Armstrong | Mr. Gere    | Mr. Rexford |
| Mr. Beardsley | Mr. Hubbard | Mr. Sherman |
| Mr. Benton    | Mr. Maynard | Mr. Throop  |
| Mr. Boughton  | Mr. McCarty | Mr. Tracy   |
| Mr. Bronson   | Mr. McLean  | Mr. Warren  |
| Mr. Conklin   | Mr. Oliver  | Mr. Wheeler |
| Mr. Deitz     |             |             |

22

The said engrossed bill, entitled "An act to amend an act entitled 'An act extending and supplementary to certain acts providing for the indigent deaf and dumb within this state,' passed April 15, 1825, and for other purposes," was read the third time and passed.

The said engrossed bill, entitled "An act amending the several acts relating to the Schaghticoke point bridge company," passed March 22, 1799, June 9, 1812, and April 17, 1815," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |             |
|---------------|--------------|-------------|
| Mr. Allen     | Mr. Eaton    | Mr. Porter  |
| Mr. Armstrong | Mr. Gere     | Mr. Rexford |
| Mr. Beardsley | Mr. Hubbard  | Mr. Sherman |
| Mr. Benton    | Mr. Maynard  | Mr. Throop  |
| Mr. Boughton  | Mr. McCarty  | Mr. Tracy   |
| Mr. Bronson   | Mr. McLean   | Mr. Warren  |
| Mr. Conklin   | Mr. McMartin | Mr. Wheeler |
| Mr. Deitz     | Mr. Oliver   |             |

23

The said engrossed bill, entitled "An act to exempt certain officers and soldiers of the revolutionary army from imprisonment for debt," was read the third time and passed.

The yeas and nays being moved and seconded, were as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |             |
|---------------|--------------|-------------|
| Mr. Allen     | Mr. Eaton    | Mr. Porter  |
| Mr. Armstrong | Mr. Gere     | Mr. Rexford |
| Mr. Beardsley | Mr. Hubbard  | Mr. Sherman |
| Mr. Benton    | Mr. Maynard  | Mr. Throop  |
| Mr. Boughton  | Mr. McCarty  | Mr. Tracy   |
| Mr. Bronson   | Mr. McLean   | Mr. Warren  |
| Mr. Conklin   | Mr. McMartin | Mr. Wheeler |
| Mr. Deitz     | Mr. Oliver   |             |

23

The said engrossed bill, entitled "An act to incorporate the Phoenix bridge company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |              |             |
|---------------|--------------|-------------|
| Mr. Allen     | Mr. Eaton    | Mr. Oliver  |
| Mr. Armstrong | Mr. Gere     | Mr. Porter  |
| Mr. Beardsley | Mr. Hubbard  | Mr. Rexford |
| Mr. Benton    | Mr. Maynard  | Mr. Sherman |
| Mr. Boughton  | Mr. McCarty  | Mr. Throop  |
| Mr. Bronson   | Mr. McLean   | Mr. Warren  |
| Mr. Conklin   | Mr. McMartin | Mr. Wheeler |
| Mr. Deitz     |              |             |

22

*Ordered*, That the clerk deliver said several bills to the Assembly, and request their concurrence to the same.

The said engrossed bill, entitled "An act directing the appointment of an additional inspector of flour and meal in the city of New-York, and regulating the inspection thereof," was read the third time, and the question on its final passage ordered to be laid on the table.

The bill from the Assembly, entitled "An act further to amend an act entitled 'An act to incorporate the Catskill and Ithaca railroad company,' passed April 21, 1828," was read the third time.

*Ordered*, That said bill be committed to a committee of the whole.

The bill from the Assembly, entitled "An act to enable the mayor, aldermen and commonalty of the city of New-York to raise money by tax," was read the third time and passed.

The bill from the Assembly, entitled "An act authorising the supervisors of the county St. Lawrence to levy a tax on the inhabitants of the town of Potsdam to build a bridge across the Racket River, in the village of Potsdam," was read the third time and passed.

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same severally, without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to loan the credit of the state to the Long-Island sound harbor company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act relating to common schools in the city of Albany;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Eaton, from the said committee, reported the same with amendments, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act authorising and requiring the overseers of

The said engrossed bill, entitled "An act to facilitate the transfer of the public stocks of this state," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |             |             |
|---------------|-------------|-------------|
| Mr. Allen     | Mr. Eaton   | Mr. Porter  |
| Mr. Armstrong | Mr. Gere    | Mr. Rexford |
| Mr. Beardsley | Mr. Hubbard | Mr. Sherman |
| Mr. Benton    | Mr. Maynard | Mr. Throop  |
| Mr. Boughton  | Mr. McCarty | Mr. Tracy   |
| Mr. Bronson   | Mr. McLean  | Mr. Warren  |
| Mr. Conklin   | Mr. Oliver  | Mr. Wheeler |
| Mr. Deitz     |             |             |

22

The said engrossed bill, entitled "An act to amend an act entitled 'An act extending and supplementary to certain acts providing for the indigent deaf and dumb within this state,' passed April 15, 1825, and for other purposes," was read the third time and passed.

The said engrossed bill, entitled "An act amending the several acts relating to the Schaghticoke point bridge company," passed March 22, 1799, June 9, 1812, and April 17, 1815," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |             |
|---------------|--------------|-------------|
| Mr. Allen     | Mr. Eaton    | Mr. Porter  |
| Mr. Armstrong | Mr. Gere     | Mr. Rexford |
| Mr. Beardsley | Mr. Hubbard  | Mr. Sherman |
| Mr. Benton    | Mr. Maynard  | Mr. Throop  |
| Mr. Boughton  | Mr. McCarty  | Mr. Tracy   |
| Mr. Bronson   | Mr. McLean   | Mr. Warren  |
| Mr. Conklin   | Mr. McMartin | Mr. Wheeler |
| Mr. Deitz     | Mr. Oliver   |             |

23

The said engrossed bill, entitled "An act to exempt certain officers and soldiers of the revolutionary army from imprisonment for debt," was read the third time and passed.

The yeas and nays being moved and seconded, were as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |             |
|---------------|--------------|-------------|
| Mr. Allen     | Mr. Eaton    | Mr. Porter  |
| Mr. Armstrong | Mr. Gere     | Mr. Rexford |
| Mr. Beardsley | Mr. Hubbard  | Mr. Sherman |
| Mr. Benton    | Mr. Maynard  | Mr. Throop  |
| Mr. Boughton  | Mr. McCarty  | Mr. Tracy   |
| Mr. Bronson   | Mr. McLean   | Mr. Warren  |
| Mr. Conklin   | Mr. McMartin | Mr. Wheeler |
| Mr. Deitz     | Mr. Oliver   |             |

23

The said engrossed bill, entitled "An act to incorporate the Phoenix bridge company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |              |             |
|---------------|--------------|-------------|
| Mr. Allen     | Mr. Eaton    | Mr. Oliver  |
| Mr. Armstrong | Mr. Gere     | Mr. Porter  |
| Mr. Beardsley | Mr. Hubbard  | Mr. Rexford |
| Mr. Benton    | Mr. Maynard  | Mr. Sherman |
| Mr. Boughton  | Mr. McCarty  | Mr. Throop  |
| Mr. Bronson   | Mr. McLean   | Mr. Warren  |
| Mr. Conklin   | Mr. McMartin | Mr. Wheeler |
| Mr. Deitz     |              |             |

22

*Ordered*, That the clerk deliver said several bills to the Assembly, and request their concurrence to the same.

The said engrossed bill, entitled "An act directing the appointment of an additional inspector of flour and meal in the city of New-York, and regulating the inspection thereof," was read the third time, and the question on its final passage ordered to be laid on the table.

The bill from the Assembly, entitled "An act further to amend an act entitled 'An act to incorporate the Catskill and Ithaca railroad company,' passed April 21, 1828," was read the third time.

*Ordered*, That said bill be committed to a committee of the whole.

The bill from the Assembly, entitled "An act to enable the mayor, aldermen and commonalty of the city of New-York to raise money by tax," was read the third time and passed.

The bill from the Assembly, entitled "An act authorising the supervisors of the county St. Lawrence to levy a tax on the inhabitants of the town of Potsdam to build a bridge across the Racket River, in the village of Potsdam," was read the third time and passed.

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same severally, without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to loan the credit of the state to the Long-Island sound harbor company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act relating to common schools in the city of Albany;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Eaton, from the said committee, reported the same with amendments, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act authorising and requiring the overseers of

**TUESDAY, 10 O'CLOCK, A. M.—APRIL 13, 1830.**

The Senate met pursuant to adjournment.

Mr. Deitz presented the remonstrance of sundry inhabitants of the city of Albany, against the passage of an act relative to the inspection of pot and pearl ashes in said city ; which was read, and referred to the committee of the whole, when on the bill from the Assembly to which the subject relates.

Mr. Benton, from the committee on the judiciary, reported a bill entitled " An act concerning bank notes ;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

On motion of Mr. Hubbard,

*Ordered*, That the committee on claims, be discharged from the further consideration of the bill from the Assembly, entitled " An act for the relief of Ezra Thorp," and that the same be committed to a committee of the whole.

Mr. Throop, from the select committee on the bill from the Assembly, entitled " An act to authorise an additional number of firemen in the village of Canandaigua," reported the same without amendment, which was ordered to a third reading.

Two messages from his honor the Lieutenant-Governor, delivered by his private secretary, were read, in the words following, to wit :

#### TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled " An act to authorise the sale of the school lot in the village of Oswego."

E. T. THROOP.

*Albany, April 9, 1830.*

#### TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled " An act for continuing and regulating a ferry across the Hudson river, in the town of Phillips, in the county of Putnam."

E. T. THROOP.

*Albany, April 12, 1830.*

The bill entitled " An act to extend the time for filling up the stock of the Merchants' exchange bank of the city of New-York," was received from the Assembly, with a message that they had passed the same without amendment, and was presented to his honor the Lieutenant-Governor by the clerk.

A bill was received from the Assembly for concurrence, entitled " An act for the relief of the town of Hounsfield ;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the fifth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to alter the time of holding the court of common pleas and general sessions in and for the county of Warren;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the fourth senate district.

Twenty-three bills were received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, respectively, and had amended them accordingly, of the following titles, to wit:

- "An act to amend the charter of the Bank of Utica :"
- "An act to amend the charter of the Ontario Bank :"
- "An act to amend the charter of the Bank of Geneva :"
- "An act to amend the charter of the Bank of Troy :"
- "An act to amend the charter of the Ogdensburgh bank :"
- "An act to amend the charter of the Bank of Auburn :"
- "An act to amend the charter of the Bank of Genesee :"
- "An act to amend the charter of the Lockport bank :"
- "An act to amend the charter of the Bank of Ithaca :"
- "An act to amend the charter of the Merchants' and Mechanics' bank in the city of Troy :"
- "An act to amend the charter of the Mechanics' and Farmers' bank in the city of Albany :"
- "An act to amend the charter of the New-York state bank :"
- "An act to amend the charter of the Bank of Monroe :"
- "An act to amend the charter of the Catskill bank :"
- "An act to amend the charter of the Mohawk bank :"
- "An act to amend the charter of the Farmers' bank :"
- "An act to amend the charter of the Bank of Newburgh :"
- "An act to amend the charter of the Central bank :"
- "An act to amend the charter of the Bank of Chenango :"
- "An act to amend the charter of the Bank of Albany :"
- "An act to amend the charter of the Jefferson county bank :"
- "An act to amend the charter of the Canal bank of Albany :"
- "An act to enable Thomas Perry and James Perry, aliens, to take, hold and convey real estate, upon certain conditions therein expressed.

The said amended bills having been examined :

*Ordered*, That the clerk return the same to the Assembly.

On motion of Mr. Benton,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to enable Francis Atkinson, Thomas Atkinson, George Atkinson, and William Atkinson to hold and convey real estate," and that the same be ordered to a third reading.

The Senate then took up the consideration of the report of the committee of the whole on the bill entitled "An act directing the survey of a canal route from Rochester to the Allegany river."

Thereupon,

*Ordered*, That said bill be recommitted to a committee of the whole.

Mr. Mather, from the committee on enrolled bills, reported nine bills as correctly engrossed, of the following titles, to wit:



"An act relating to common schools in the city of Albany :"

"An act authorising and requiring the overseers of the poor of the town of Ellicottville to pay over certain monies in their hands, to the commissioners of highways of said town :"

"An act relative to the Lansingburgh dry dock and hydraulic company :"

"An act concerning convicts under the age of seventeen years, and other purposes :"

"An act relating to the public lands :"

"An act for the relief of Gilbert A. Gamage :"

"An act to incorporate the Ellenville and Shawangunk turnpike company :"

"An act respecting the hunting of deer in Suffolk county :"

"An act to incorporate the Woodbourne and Ellenville turnpike company :"

Thereupon,

The said engrossed bill entitled "An act relating to common schools in the city of Albany," was read the third time and passed.

The said engrossed bill entitled "An act authorising and requiring the overseers of the poor of the town of Ellicottville to pay over certain monies in their hands to the commissioners of highways of said town," was read the third time and passed.

The said engrossed bill entitled "An act concerning convicts under the age of seventeen years, and other purposes," was read the third time and passed.

The said engrossed bill entitled "An act relating to the public lands," was read the third time and passed.

The said engrossed bill entitled "An act for the relief of Gilbert A. Gamage," was read the third time and passed.

The said engrossed bill entitled "An act respecting the hunting of deer in Suffolk county," was read the third time and passed.

The said engrossed bill entitled "An act to incorporate the Woodbourne and Ellenville turnpike company," was read the third time and passed ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

#### FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Rexford   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Schenck   |
| Mr. Beardsley | Mr. Mather   | Mr. Sherman   |
| Mr. Benton    | Mr. Maynard  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McCarty  | Mr. Throop    |
| Mr. Bronson   | Mr. McLean   | Mr. Tracy     |
| Mr. Conklin   | Mr. McMartin | Mr. Warren    |
| Mr. Deitz     | Mr. Oliver   | Mr. Wheeler   |
| Mr. Eaton     | Mr. Porter   |               |

26

The said engrossed bill entitled "An act to incorporate the Ellenville and Shawangunk turnpike company," was read the third time and passed ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Hubbard  | Mr. Rexford   |
| Mr. Armstrong | Mr. Mather   | Mr. Schenck   |
| Mr. Beardsley | Mr. Maynard  | Mr. Sherman   |
| Mr. Benton    | Mr. McCarty  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McLean   | Mr. Throop    |
| Mr. Bronson   | Mr. McMartin | Mr. Tracy     |
| Mr. Conklin   | Mr. Oliver   | Mr. Warren    |
| Mr. Deitz     | Mr. Porter   | Mr. Wheeler   |
| Mr. Gere      |              |               |

25

The said engrossed bill entitled "An act relative to the Lansingburgh dry dock and hydraulic company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Rexford   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Schenck   |
| Mr. Beardsley | Mr. Maynard  | Mr. Sherman   |
| Mr. Benton    | Mr. McCarty  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McLean   | Mr. Throop    |
| Mr. Bronson   | Mr. McMartin | Mr. Tracy     |
| Mr. Conklin   | Mr. Oliver   | Mr. Warren    |
| Mr. Deitz     | Mr. Porter   | Mr. Wheeler   |

24

*Ordered*, That the clerk deliver said several bills to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act to authorise an additional number of firemen in the village of Canandaigua," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Rexford   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Schenck   |
| Mr. Beardsley | Mr. Maynard  | Mr. Sherman   |
| Mr. Benton    | Mr. McCarty  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McLean   | Mr. Throop    |
| Mr. Conklin   | Mr. McMartin | Mr. Tracy     |
| Mr. Deitz     | Mr. Oliver   | Mr. Warren    |
| Mr. Eaton     | Mr. Porter   | Mr. Wheeler   |

24

The bill from the Assembly, entitled "An act to enable Francis Atkinson, Thomas Atkinson, George Atkinson and William Atkinson to hold and convey real estate," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Rexford   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Schenck   |
| Mr. Beardsley | Mr. Mather   | Mr. Sherman   |
| Mr. Benton    | Mr. Maynard  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McCarty  | Mr. Throop    |
| Mr. Bronson   | Mr. McLean   | Mr. Tracy     |
| Mr. Conklin   | Mr. McMartin | Mr. Warren    |
| Mr. Deitz     | Mr. Oliver   | Mr. Wheeler   |
| Mr. Eaton     | Mr. Porter   |               |

26

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same, severally, without amendment.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to extend for a limited period the charter of the Merchants' bank in the city of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered a third reading.

On motion of Mr. Warren,

*Ordered*, That the committee of the whole be discharged from the further consideration of the following bills from the Assembly, to wit:

"An act to extend for a limited period, the charter of the Bank of New-York, in the city of New-York:"

"An act to extend for a limited period, the charter of the Phoenix bank, in the city of New-York:"

"An act to extend for a limited period, the charter of the Tradesmen's bank in the city of New-York:"

"An act to extend for a limited period, the charter of the Bank of America, in the city of New-York:"

"An act to extend for a limited period, the charter of the City bank of New-York:"

"An act to extend for a limited period, the charter of the Union bank, in the city of New-York:"

And that the same, severally, be ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the president, directors and company of the bank of Schenectady;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

After the consideration of executive business, the Senate adjourned until 4 o'clock this afternoon.

## 4 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Mechanics' and Traders' bank;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported the same with amendments; which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Montgomery county bank;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Onondaga county bank;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tracy, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Then the Senate adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, 10 O'CLOCK, A. M.—APRIL 14, 1830.

The Senate met pursuant to adjournment.

Mr. M'Carty, presented the remonstrance of sundry inhabitants of the county of Albany, against the passage of the bill extending the jurisdiction of the mayor's court in the city of Albany in certain cases, which was read, and referred to the committee on the judiciary.

The bill entitled "An act relative to 'An act to incorporate the village of Lockport,' passed March 26, 1829," was received from the Assembly, without amendment, and was presented to his honor the Lieutenant-Governor by the clerk.

The bill entitled "An Act to incorporate the Rensselaer Glass manufacturing company," was received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,  
*Ordered*, That the clerk return the same to the Assembly.

The bill entitled "An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Kingston,' passed April 6, 1805," was received from the Assembly, with a message that they had passed the same with the amendment therewith delivered.

The said amendment having been read :

Mr. President put the question on concurring in the same, and it was decided in the affirmative ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Armstrong | Mr. Gere     | Mr. Rexford   |
| Mr. Beardsley | Mr. Mather   | Mr. Schenck   |
| Mr. Benton    | Mr. Maynard  | Mr. Sherman   |
| Mr. Boughton  | Mr. McCarty  | Mr. Tallmadge |
| Mr. Bronson   | Mr. McLean   | Mr. Throop    |
| Mr. Conklin   | Mr. McMartin | Mr. Tracy     |
| Mr. Deitz     | Mr. Oliver   | Mr. Warren    |
| Mr. Eaton     | Mr. Porter   |               |

23

*Resolved*, That the Senate do concur with the Assembly in their amendment to the said bill.

*Ordered*, That the clerk deliver said bill and a copy of said resolution to the Assembly.

The bill entitled "An act relative to the New-Windsor and Cornwall turnpike company," was received from the Assembly, with a message that they had passed the same with the amendments therewith delivered.

The said amendments having been read,

Mr. President put the question on concurring in the same, and it was decided in the affirmative ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Eaton    | Mr. Porter    |
| Mr. Armstrong | Mr. Gere     | Mr. Rexford   |
| Mr. Beardsley | Mr. Mather   | Mr. Schenck   |
| Mr. Benton    | Mr. Maynard  | Mr. Sherman   |
| Mr. Boughton  | Mr. McCarty  | Mr. Tallmadge |
| Mr. Bronson   | Mr. McLean   | Mr. Throop    |
| Mr. Conklin   | Mr. McMartin | Mr. Tracy     |
| Mr. Deitz     | Mr. Oliver   | Mr. Warren    |

24

*Resolved*, That the Senate do concur with the Assembly in their amendments to the said bill.

*Ordered*, That the clerk deliver said bill and a copy of said resolution to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act, entitled 'An act to incorporate the Mohawk turnpike and bridge company,' passed April 4, 1800," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the trustees of St. Mary's church in the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the first Senate district.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the Poughkeepsie and New-Paltz ferry company," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the second Senate district.

A bill was received from the Assembly for concurrence, entitled "An act authorising John Wall to erect a toll bridge across the Oswego river;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the fifth Senate district.

The Senate then took up the consideration of the amendments of the Assembly, to the bill entitled "An act authorising the Comptroller to assign to George McClure, a certain bond and mortgage," and their alteration of the title, so as to read "An act in relation to the sales on certain mortgages executed to the people of this state by George McClure and others, and for other purposes."

The said amendments having been read:

*Resolved*, That the Senate do concur with the Assembly in their amendments to said bill, with an amendment thereto; and in their alteration of the title of the same.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

On motion of Mr. Benton,

*Ordered*, That the Senate will hereafter meet at 9 o'clock A. M.

Mr. Tracy moved a resolution, in the words following, to wit:

*Resolved*, That the Attorney-General report to the Senate his opinion, whether officers and soldiers belonging to the army of the United States and stationed in this state, are inhabitants entitled to vote at elections, within the meaning of the first section of the second article of the constitution.

*Ordered*, That the said resolution be laid on the table.

Mr. Sherman, pursuant to previous notice, asked for, and obtained leave to bring in a bill, entitled "An act relating to the appointment of auctioneers in the city of New-York."

Thereupon,

Mr. Sherman brought in said bill, which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

The Senate then took up for consideration, the following preambles and resolutions :

**WHEREAS** the government of this state, has at several periods relieved the pecuniary distresses of its citizens, by a loan of moneys at a moderate rate of interest, secured by bond and mortgage on real estate ; the payment of annual interest ; and finally, of the principal guaranteed by the several counties receiving such loans :

*And whereas* it is apprehended, that at no former period did the agricultural and other producing classes of our citizens, encounter greater embarrassments in meeting their engagements, than at the present time, nor is the prospect ahead more flattering, owing principally to the depression of real estates, and of their productions, together with the consequent difficulty, if not utter impossibility, of raising funds upon their pledge approximating to their cost, or at a rate of interest warranted by their nett products :

*And whereas* it is equally incumbent on a wise and just government, to provide a remedy adapted to the exigencies of these interests, although scattered and diversified, and consequently not so easily concentrated and presented, as it is to aid the operations of its commercial interests, through the medium of banking credits, or otherwise :

*And whereas* it is believed that the principal of the school and literature funds, may be as safely invested in such loans, as in the manner now directed by law, and that such investment may be anticipated, by creating a stock on a pledge of those funds, which stock may be profitably taken by the canal fund ; thus yielding a better revenue to the canal fund, to the school and literature funds ; and by the operation, alleviate the pecuniary distresses of many valuable citizens, by loans at a rate of interest not exceeding six per cent per annum :

Therefore,

**Resolved**, (if the honorable the Assembly concur,) That the question be submitted to the board of supervisors of the respective counties of this state, whether or not, in their judgment, the interests of their constituents will be promoted by the making such loan as aforesaid ; if yea, what amount would be required to render it desirable ?

**Resolved**, That the Comptroller be directed to transmit a copy of these resolutions to the different clerks of the boards of supervisors, to be laid before such boards at their next annual meeting ; and that he solicit a seasonable communication of the result of their deliberations thereupon ; and

**Resolved**, That if a considerable number of the counties decide affirmatively, then the Comptroller is directed to prepare a scheme of finance accordingly, to be presented to the Legislature at an early day at their next session.

Mr. President put the question on agreeing to the same, and it was decided in the negative.

Mr. Mather, from the committee on enrolled bills, reported the bill entitled "An act to vest certain privileges in the freeholders and inhabitants of the village of Monticello, in the county of Sullivan," as correctly engrossed.

Thereupon,

The said engrossed bill was read the third time and passed ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Eaton    | Mr. Rexford   |
| Mr. Armstrong | Mr. Gere     | Mr. Schenck   |
| Mr. Beardsley | Mr. Mather   | Mr. Sherman   |
| Mr. Benton    | Mr. Maynard  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McLean   | Mr. Throop    |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Porter   | Mr. Wheeler   |
| Mr. Deitz     |              |               |

22

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled " An act to extend for a limited period the charter of the Merchants' Bank of the city of New-York," with the engrossed amendments, was read the third time and passed ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Eaton    | Mr. Porter    |
| Mr. Armstrong | Mr. Gere     | Mr. Sherman   |
| Mr. Beardsley | Mr. Mather   | Mr. Tallmadge |
| Mr. Benton    | Mr. Maynard  | Mr. Throop    |
| Mr. Boughton  | Mr. McCarty  | Mr. Tracy     |
| Mr. Bronson   | Mr. McLean   | Mr. Warren    |
| Mr. Conklin   | Mr. McMartin | Mr. Wheeler   |
| Mr. Deitz     | Mr. Oliver   |               |

23

## FOR THE NEGATIVE.

|             |             |   |
|-------------|-------------|---|
| Mr. Rexford | Mr. Schenck | 2 |
|-------------|-------------|---|

The bill from the Assembly, entitled " An act to extend for a limited period, the charter of the bank of New-York, in the city of New-York," with the engrossed amendments, was read the third time and passed ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Rexford   |
| Mr. Armstrong | Mr. Mather   | Mr. Sherman   |
| Mr. Beardsley | Mr. Maynard  | Mr. Tallmadge |
| Mr. Benton    | Mr. McCarty  | Mr. Throop    |
| Mr. Boughton  | Mr. McLean   | Mr. Tracy     |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Deitz     | Mr. Oliver   | Mr. Wheeler   |
| Mr. Eaton     | Mr. Porter   |               |

23



## FOR THE NEGATIVE.

Mr. Schenck

1

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly, entitled "An act to extend for a limited period, the charter of the Phoenix bank in the city of New-York," with the engrossed amendments, was read the third time and lost; two-thirds of all members elected to the Senate not voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Deitz   | Mr. McMartin  |
| Mr. Armstrong | Mr. Eaton   | Mr. Oliver    |
| Mr. Beardsley | Mr. Gere    | Mr. Porter    |
| Mr. Benton    | Mr. Mather  | Mr. Sherman   |
| Mr. Boughton  | Mr. Maynard | Mr. Tallmadge |
| Mr. Bronson   | Mr. McCarty | Mr. Throop    |
| Mr. Conklin   | Mr. McLean  | Mr. Tracy     |

21

## FOR THE NEGATIVE.

|             |            |             |
|-------------|------------|-------------|
| Mr. Rexford | Mr. Warren | Mr. Wheeler |
| Mr. Schenck |            |             |

4

Thereupon,

*Resolved*, That the bill be rejected.

*Ordered*, That the clerk deliver said bill and a copy of said resolution to the Assembly.

The bill from the Assembly entitled "An act to extend for a limited period, the charter of the Tradesmen's Bank in the city of New-York," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Eaton    | Mr. Porter    |
| Mr. Armstrong | Mr. Gere     | Mr. Rexford   |
| Mr. Beardsley | Mr. Mather   | Mr. Sherman   |
| Mr. Benton    | Mr. Maynard  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McCarty  | Mr. Throop    |
| Mr. Bronson   | Mr. McLean   | Mr. Tracy     |
| Mr. Conklin   | Mr. McMartin | Mr. Warren    |
| Mr. Deitz,    | Mr. Oliver   | Mr. Wheeler   |

24

## FOR THE NEGATIVE.

Mr. Schenck

1

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act to extend for a limited period, the charter of the bank of America, in the city of New-York," with the engrossed amendments, was read the third time and lost; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Eaton    | Mr. Oliver    |
| Mr. Beardsley | Mr. Gere     | Mr. Porter    |
| Mr. Benton    | Mr. Mather   | Mr. Sherman   |
| Mr. Boughton  | Mr. Maynard  | Mr. Tallmadge |
| Mr. Bronson   | Mr. McCarty  | Mr. Throop    |
| Mr. Conklin   | Mr. McLean   | Mr. Tracy     |
| Mr. Deitz     | Mr. McMartin |               |

20

**FOR THE NEGATIVE.**

|               |             |             |
|---------------|-------------|-------------|
| Mr. Armstrong | Mr. Schenck | Mr. Wheeler |
| Mr. Rexford   | Mr. Warren  |             |

5

Thereupon,

*Resolved*, That the bill be rejected.

*Ordered*, That the clerk deliver a copy of said resolutions to the Assembly.

The bill from the Assembly, entitled "An act to extend for a limited period, the charter of the City Bank of New-York," with the engrossed amendments, was read the third time and lost; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Deitz   | Mr. McMartin  |
| Mr. Armstrong | Mr. Eaton   | Mr. Oliver    |
| Mr. Beardsley | Mr. Gere    | Mr. Porter    |
| Mr. Benton    | Mr. Mather  | Mr. Sherman   |
| Mr. Boughton  | Mr. Maynard | Mr. Tallmadge |
| Mr. Bronson   | Mr. McCarty | Mr. Throop    |
| Mr. Conklin   | Mr. McLean  | Mr. Tracy     |

21

**FOR THE NEGATIVE.**

|             |            |             |
|-------------|------------|-------------|
| Mr. Rexford | Mr. Warren | Mr. Wheeler |
| Mr. Schenck |            |             |

4

Thereupon,

*Resolved*, That the bill be rejected.

*Ordered*, That the clerk deliver the said bill and a copy of the said resolution to the Assembly.

The bill entitled "An act to extend for a limited period, the charter of the Union Bank in the city of New-York," with the engrossed amendments, was read the third time and lost; two-thirds of all the member elected to the Senate not voting in favor thereof, as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |             |               |    |
|---------------|-------------|---------------|----|
| Mr. Allen     | Mr. Deitz   | Mr. McMartin  |    |
| Mr. Armstrong | Mr. Eaton   | Mr. Oliver    |    |
| Mr. Beardsley | Mr. Gere    | Mr. Porter    |    |
| Mr. Benton    | Mr. Mather  | Mr. Sherman   |    |
| Mr. Boughton  | Mr. Maynard | Mr. Tallmadge |    |
| Mr. Bronson   | Mr. McCarty | Mr. Throop    |    |
| Mr. Conklin   | Mr. McLean  | Mr. Tracy     | 21 |

**FOR THE NEGATIVE.**

|             |            |             |   |
|-------------|------------|-------------|---|
| Mr. Rexford | Mr. Warren | Mr. Wheeler |   |
| Mr. Schenck |            |             | 4 |

Thereupon,

*Resolved*, That the bill be rejected.

*Ordered*, That the clerk deliver said bill and a copy of said resolution to the Assembly.

The bill from the Assembly, entitled "An act to incorporate the president, directors and company of the bank of Schenectady," with the engrossed amendments, was read the third time and lost; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

**FOR THE AFFIRMATIVE.**

|             |              |               |    |
|-------------|--------------|---------------|----|
| Mr. Allen   | Mr. McCarty  | Mr. Sherman   |    |
| Mr. Conklin | Mr. McLean   | Mr. Tallmadge |    |
| Mr. Deitz   | Mr. McMartin | Mr. Throop    |    |
| Mr. Eaton   | Mr. Porter   | Mr. Warren    |    |
| Mr. Gere    | Mr. Rexford  | Mr. Wheeler   |    |
| Mr. Mather  | Mr. Schenck  |               | 17 |

**FOR THE NEGATIVE.**

|               |              |            |   |
|---------------|--------------|------------|---|
| Mr. Armstrong | Mr. Boughton | Mr. Oliver |   |
| Mr. Beardsley | Mr. Bronson  | Mr. Tracy  |   |
| Mr. Benton    | Mr. Maynard  |            | 8 |

Thereupon,

*Resolved*, That the bill be rejected.

*Ordered*, That the clerk deliver said bill and a copy of said resolution to the Assembly.

The bill from the Assembly, entitled "An act to incorporate the president, directors and company of Mechanics' and Traders' bank," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Rexford   |
| Mr. Armstrong | Mr. Mather   | Mr. Schenck   |
| Mr. Beardsley | Mr. Maynard  | Mr. Sherman   |
| Mr. Benton    | Mr. McCarty  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McLean   | Mr. Throop    |
| Mr. Bronson   | Mr. McMartin | Mr. Tracy     |
| Mr. Conklin   | Mr. Oliver   | Mr. Warren    |
| Mr. Deitz     | Mr. Porter   | Mr. Wheeler   |

24

## FOR THE NEGATIVE.

Mr. Eaton

- 1

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Montgomery county bank," was read the third time and lost; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|             |              |               |
|-------------|--------------|---------------|
| Mr. Allen   | Mr. McCarty  | Mr. Sherman   |
| Mr. Conklin | Mr. McLean   | Mr. Tallmadge |
| Mr. Deitz   | Mr. McMartin | Mr. Throop    |
| Mr. Eaton   | Mr. Oliver   | Mr. Tracy     |
| Mr. Gere    | Mr. Porter   | Mr. Warren    |
| Mr. Mather  | Mr. Rexford  | Mr. Wheeler   |
| Mr. Maynard | Mr. Schenck  |               |

20

## FOR THE NEGATIVE.

Mr. Armstrong  
Mr. BeardsleyMr. Benton  
Mr. Boughton

Mr. Bronson

5

Thereupon,

*Resolved*, That the bill be rejected.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution to the Assembly.

The bill from the Assembly, entitled "An act to incorporate the president, directors and company of the Onondaga county bank," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Rexford   |
| Mr. Armstrong | Mr. Mather   | Mr. Schenck   |
| Mr. Beardsley | Mr. Maynard  | Mr. Sherman   |
| Mr. Bonton    | Mr. McCarty  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McLean   | Mr. Throop    |
| Mr. Bronson   | Mr. McMartin | Mr. Tracy     |
| Mr. Conklin   | Mr. Oliver   | Mr. Warren    |
| Mr. Deitz     | Mr. Porter   | Mr. Wheeler   |
| Mr. Eaton     |              |               |

25

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. President put the question on the final passage of the engrossed bill entitled "An act to amend the act, entitled 'An act to authorise the erection of a new court-house and jail in the county of Onondaga,' passed April 5, 1828," and it was decided in the affirmative.

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to amend an act, entitled 'An act to incorporate the Florida bridge company,' passed January 30, 1828;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Rexford, from the said committee, reported the same with amendments; which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act directing the survey of a canal route from Rochester to the Allegany river;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Conklin, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Nathan Underwood;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported the same with amendments; which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to appoint commissioners to lay out, alter and improve the road from Lansingburgh, in the county of Rensselaer, to Bennington in the state of Vermont;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Allen, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act directing a special circuit court to be held

in the county of Niagara, and for other purposes ; and after some time spent thereon, Mr. President resumed the chair, and Mr. Boughton, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 4 o'clock, this afternoon.

#### 4 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to amend title seventh, of chapter fourteenth of the first part of the Revised Statutes ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Rexford, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act concerning bank notes ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tracy, from the said committee, reported the same without amendment ; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act directing a special circuit court to be held in the county of Niagara, and for other purposes ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Boughton, from the said committee, reported the same with amendments ; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising the board of supervisors of Chenango county, to audit and allow certain accounts therein mentioned, and for other purposes ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Eaton, from the said committee, reported the same without amendment ; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising and requiring the supervisors of the city and county of Albany, to raise certain monies for the erection of a building in the city of Albany, for city and county purposes ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported the same without amendment ; which was agreed to by the Senate, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising the first judges or any other judge of the courts of common pleas of the counties of Rensselaer and Dutchess, of the degree of counsellor at law in the supreme court, to hold the courts of common pleas in and for those counties;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Beardsley, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the the relief of William Frazer;" and after some time spent thereon, Mr. President resumed the chair, and Mr. McCarty, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to authorise the supervisors of the county of Rensselaer to raise a tax to complete the court-house in said county;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising the appointment of an additional inspector of lumber for the city of Albany;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Conklin, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the Cayuga and Inlet steam-boat company,' passed Feb. 25, 1828;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Deitz, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the Orange Town Point steam-boat company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Bronson, from the said committee, reported the same without amendment.

*Ordered,* That said report be laid on the table.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising Henry Stephens to erect a dam across the Tioughnioga river;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Maynard, from the said committee, reported the same without amendment; which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising Solomon Roosa to build a bridge over the Esopus creek;" and after

some time spent thereon, Mr. President resumed the chair, and Mr. Boughton from said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising the establishment of a certain road in the village of Geneseo;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Armstrong, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to divide the town of Cuba, in the county of Allegany;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Wheeler, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to authorise the justices of the supreme court to hear and dispose of non-enumerated business in vacation;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the relief of Junia Curtis;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Gere, from the said committee, reported the same with amendments, which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the Utica cotton printing company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Beardsley, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act relative to justices of the peace in the city of Hudson;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Rcxford, from the said committee, reported the same with an amendment; which report was agreed to by the Senate, and the amendment ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act relative to the printing of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Wheeler, from the said committee, reported progress, and asked for and obtained leave to sit again.



The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend an act, passed May 4th, 1829, entitled 'An act to amend an act, entitled 'An act declaring a part of the Cayuta creek a public highway,' passed February 20th, 1827 ;'" and after some time spent thereon, Mr. President resumed the chair, and Mr. Gere, from the said committee, reported the same without amendment; which report was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend the act, passed April 18th, 1816, entitled 'An act further to amend the act, entitled, 'An act to incorporate the Croton turnpike company ;'" and after some time spent thereon, Mr. President resumed the chair, and Mr. Conklin, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the infant school of New-York ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend an act, entitled 'An act to authorise the supervisors of the county of Orleans, to raise money to build a bridge across the Oak Orchard and Marsh creeks, in the town of Carlton,' passed April 25th, 1829 ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Allen, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the Rome and New-London turnpike road company ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the Charlotte turnpike company ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Bronson, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to authorise the supervisors of the county of St. Lawrence to raise money to complete their public buildings ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Allen, from the said committee, reported the same without amendment.

*Ordered,* That said report be laid on the table.

Then the Senate adjourned until 9 o'clock to-morrow morning.

**THURSDAY, 9 O'CLOCK, A. M.—APRIL 15, 1830.**

The Senate met pursuant to adjournment.

Mr. Benton, from the committee on the judiciary, on the petition of the first Presbyterian congregation of the town of Wolcott, reported the following resolution :

*Resolved*, That the petitioners have leave to withdraw their petition.

Which was agreed to by the Senate.

Mr. Benton, from the same committee, on the petition of sundry inhabitants of Queens county, praying for a law authorising the erection of a fire proof clerk's office, reported the following resolution :

*Resolved*, That the petitioners have leave to withdraw their petition.

Which was agreed to by the Senate.

Mr. Benton, from the same committee, on the petition of Emmanuel Count de Grouchy, reported the following resolution :

*Resolved*, That the petitioner have leave to withdraw his petition.

Which was agreed to by the Senate.

Mr. Benton, from the same committee, on the petition of Edmund A. Wetmore, reported the following resolution :

*Resolved*, That the petitioner have leave to withdraw his petition.

Which was agreed to by the Senate.

Mr. McMartin, from the committee on roads and bridges, reported, without amendment, the bill from the Assembly, entitled "An act to amend an act, entitled 'An act to incorporate the Mohawk turnpike and bridge company,' passed April 4, 1800;" which was ordered to a third reading.

Mr. McCarty, from the select committee on the bill from the Assembly, entitled "An act relative to the city of Albany, and to repeal certain parts of acts therein mentioned," reported the same with amendments, which was committed to a committee of the whole.

Mr. Conklin, from the select committee on the bill from the Assembly, entitled "An act to incorporate the trustees of St. Mary's church, in the city of New-York," reported the same without amendment, which was committed to a committee of the whole.

Mr. Allen, from the select committee on the bill from the Assembly, entitled "An act for the relief of the Female association of the city of New-York," reported against the passage of the same, which was committed to a committee of the whole.

Mr. Tallmadge, from the select committee on the bill from the Assembly, entitled "An act in relation to the Poughkeepsie and New-Paltz ferry company," reported the same without amendment, which was ordered to a third reading.

Mr. McMartin, from the select committee on the bill from the Assembly, entitled "An act to alter the time of holding the court of

common pleas and general sessions, in and for the county of Warren," reported the same with amendments, which was committed to a committee of the whole.

Mr. McMartin, from the select committee, to whom was referred the bill releasing the condition of actual settlements reserved by the state, in certain grants of lands to which it relates, reported in favor of the passage of a bill on the principles embraced in that bill, and for their reasons in favor thereof, refer the Senate to the report of the Secretary of State and Surveyor-General, of March 1829, (see Senate journal of 1829, page 347 and 348,) and to the letters addressed by the committee to the commissioners of the land-office, with their answer thereto accompanying, as a part of this report.

*Ordered*, That the said bill and report be committed to a committee of the whole.

Mr. Allen, presented the memorial and remonstrance of the public school society of the city of New-York, against the bill from the Assembly, authorising the Infant school society and the Female association, to participate in the use of the common school money of said city, which was read and referred to a committee of the whole, when on the bill to which the subject relates.

A message from his honor the Lieutenant-Governor, delivered by his private secretary, was read in the words following, to wit :

#### TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to extend the time for filling up the stock of the Merchants' exchange bank of the city of New-York."

E. T. THROOP.

*Albany, April 13, 1830.*

The bill entitled "An act to enable resident aliens to hold and convey real estate," was returned from the Assembly, and was presented to his honor the Lieutenant-Governor by the clerk.

The bill entitled "An act relative to the court of common pleas for the city and county of New-York," was received from the Assembly, with a message that they had agreed to the report of the committee of conference on the same, and was presented to his honor the Lieutenant-Governor by the clerk.

The bill entitled "An act in relation to the sales on certain mortgages executed to the people of this state, by George McClure and others, and for other purposes," was received from the Assembly, with a message that they had concurred in the amendment of the Senate to the amendments of the Assembly to said bill.

The bill entitled "An act to exempt certain officers and soldiers of the revolutionary army, from imprisonment for debt," was received from the Assembly, with a message that they had passed the same with the amendments therewith delivered.

The said amendments having been read :

*Resolved*, That the Senate do concur with the Assembly in their amendments to said bill.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

The bill entitled "An act to amend an act entitled 'An act extending and supplementary to certain acts providing for the deaf and dumb within this state,' passed 15th April, 1825, and for other purposes," was received from the Assembly, with a message that they had passed the same with the amendments therewith delivered :

Thereupon,

The first section of said bill was read in the words following, to wit :

"§ 1. The directors of the New-York institution for the instruction of the deaf and dumb, are hereby authorised to receive from each Senate district of this state, *four* indigent pupils, in addition to the number now provided for by law, the pupils to be known and designated as state pupils, and to be received and retained in the said institution for five years, subject to the supervision of the Superintendent of Common Schools."

The first amendment of the Assembly, to said bill, was to strike out the word "four" in the third line of said section, and insert in lieu thereof, the word "three."

The second amendment of the Assembly, to said bill, was to add a new section, in the words following, to wit :

"§ 7. The president and directors of the central asylum, for the instruction of the deaf and dumb of this state, shall and may be permitted to take and receive from each senate district in this state, one pupil into their institution beyond the number now authorised by law, upon the terms and with the rights and privileges contained in the fifth section of the act entitled 'An act extending and supplementary to certain acts providing for the indigent deaf and dumb within this state,' passed April 15, 1825,"

Mr. President put the question on concurring in said amendments, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit :

#### FOR THE AFFIRMATIVE.

|               |              |             |
|---------------|--------------|-------------|
| Mr. Armstrong | Mr. Eaton    | Mr. Porter  |
| Mr. Beardsley | Mr. Gere     | Mr. Throop  |
| Mr. Boughton  | Mr. McCarty  | Mr. Warren  |
| Mr. Bronson   | Mr. McMartin | Mr. Wheeler |
| Mr. Deitz     | Mr. Oliver   |             |

14

#### FOR THE NEGATIVE.

|             |             |               |
|-------------|-------------|---------------|
| Mr. Allen   | Mr. Maynard | Mr. Sherman   |
| Mr. Benton  | Mr. McLean  | Mr. Tallmadge |
| Mr. Conklin | Mr. Rexford | Mr. Tracy     |
| Mr. Hubbard |             |               |

10

Thereupon,

*Resolved*, That the Senate do concur with the Assembly in their amendments to said bill.

*Ordered*, That the clerk deliver said bill and a copy of said resolution to the Assembly.

Three bills were received from the Assembly, for concurrence of the following titles, to wit:

"An act concerning town meetings:"

"An act to prevent the importation of foreign poor into the counties of this state, bordering on lake Champlain:"

"An act relative to the estates of insolvent debtors and jurors in certain cases:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

Three bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to annex a part of the town of Pomfret to the town of Arkwright, in the county of Chautauque:"

"An act to divide the town of Watson, in the county of Lewis:"

"An act to erect a new town, from parts of the towns of Edwards and DeKalb, in the county of St. Lawrence:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the divisions of counties and towns.

A bill was received from the Assembly for concurrence, entitled "An act to amend 'An act concerning the inspection of sole leather;'" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

A bill was received from the Assembly for concurrence, entitled "An act to prohibit the circulation of the bills of banks not chartered by the laws of this state, under the denomination of five dollars," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act relative to the Troy and Sand lake turnpike company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

Two bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to amend the act passed April 6th, 1815, entitled 'An act respecting the collection of taxes in the city of New-York:'"

"An act authorising the board of supervisors of the county of Kings to build a penitentiary, and to raise money to pay for the same, and to authorise the sale of land belonging to the town of Brooklyn in said county:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the members attending the Senate from the first senate district.

A bill was received from the Assembly for concurrence, entitled "An act concerning a road in the county of Delaware," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the second senate district.

Two bills were received from the Assembly for concurrence of the following titles, to wit :

"An act authorising and regulating a ferry across lake Champlain, at Westport, in the county of Essex :"

"An act to authorise the supervisors of the county of Washington, to raise a sum of money by tax :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the members attending the Senate from the fourth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to improve a certain road in the counties of Lewis and Jefferson ;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the fifth senate district.

Two bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act requiring the supervisors of the county of Steuben, to levy a tax for the purpose of improving the navigable streams in said county :"

"An act relative to the town of Sherburne, in the county of Chautauque :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the members attending the Senate from the sixth senate district.

Two bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act to incorporate a fire company in the village and town of Lima, in the county of Livingston :"

"An act to authorise the erection of a new gaol in the county of Chautauque :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the members attending the Senate from the eighth senate district.

The Senate then took up the consideration of the report of the committee of the whole on the bill from the Assembly, entitled "An act to incorporate the Orange Town Point steam-boat company ;" which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then took up the consideration of the report of the committee of the whole, on the bill from the Assembly, entitled "An act to authorise the supervisors of the county of St. Lawrence to raise monies to complete their public buildings ;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Tracy, asked for and obtained leave of absence for the remainder of the session, after to-day.

The Senate then took up the consideration of the resolution yesterday moved by Mr. Tracy, which was amended by the mover, and read in the words following, to wit :—

*Resolved*, That the Attorney-General report to the Senate, his opinion whether officers and soldiers belonging to the army of the United States, and stationed in this state, are inhabitants entitled to vote at elections within the meaning of the second amendment of the constitution.

Debates were had thereon, and

Mr. President put the question on agreeing to the same, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit :

FOR THE NEGATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Porter    |
| Mr. Armstrong | Mr. Hubbard  | Mr. Rexford   |
| Mr. Beardsley | Mr. Mather   | Mr. Sherman   |
| Mr. Benton    | Mr. McCarty  | Mr. Tallmadge |
| Mr. Bronson   | Mr. McLean   | Mr. Throop    |
| Mr. Conklin   | Mr. McMartin | Mr. Warren    |
| Mr. Deitz     | Mr. Oliver   | Mr. Wheeler   |
| Mr. Eaton     |              |               |

22

FOR THE AFFIRMATIVE.

|              |             |           |   |
|--------------|-------------|-----------|---|
| Mr. Boughton | Mr. Maynard | Mr. Tracy | 3 |
|--------------|-------------|-----------|---|

On motion of Mr. Benton,

*Ordered*, That the committee on the judiciary, be discharged from the further consideration of the memorial of the common council of the city of New-York, relative to certain amendments proposed to the charter of said city, and that the same be laid on the table.

A copy of a resolution from the Assembly, was read in the words following, to wit :—

*Resolved*, (if the Senate concur,) That the canal board be and they are hereby directed to suspend until the first day of January next, the exaction or collection of any increased tolls on the canals of this state, since the thirty-first day of December last.

*Resolved*, That the Senate do concur with the Assembly in their said resolution, with an amendment, by adding at the end thereof, the words "except upon boats used principally for the transportation of passengers."

*Ordered*, That the clerk deliver a copy of the preceding resolution to the Assembly.

A copy of a resolution from the Assembly, was read in the words following, to wit :

*Resolved*, (if the Senate concur,) That all proceedings for collections of interest due the state, from the occupants or owners of the New-Stockbridge and Cowassalone tracts of land, shall be suspended for one year, from the first day of June next, in all cases where the interest for two years shall be paid by the said first day of June, and such suspension shall be continued from year to year, if two years interest shall be paid in each year, until the whole of the interest shall be paid; and all occupants or owners of land on either of the said tracts, who have complied with the joint resolution of both houses of the Legislature, of the eleventh day of March, one thousand eight hundred and twenty-nine, are to be included in the provisions of this resolution, if they pay two years interest by the first day of June, in the year one thousand eight hundred and thirty-one.

*Resolved*, That the Senate do concur with the Assembly in their said resolution.

*Ordered*, That the clerk deliver a copy of the preceding resolution, to the Assembly.

Mr. Sherman, from the committee on enrolled bills, reported six bills as correctly engrossed, of the following titles, to wit:

"An act to appoint commissioners to lay out, alter and improve the road from Lansingburgh, in the county of Rensselaer, to Bennington, in the state of Vermont:"

"An act to amend an act, entitled 'An to incorporate the Florida bridge company,' passed January 30, 1828:"

"An act directing the survey of a canal route from Rochester to the Allegany river:"

"An act directing a special circuit court to be held in the county of Niagara, and for other purposes:"

"An act concerning bank notes:"

"An act for the relief of Nathan Underwood:"

Thereupon,

The said engrossed bill entitled "An act concerning bank notes," was read the third time and passed.

The yeas and nays being moved and seconded, were as follows; to wit:

#### FOR THE AFFIRMATIVE.

Mr. Armstrong  
Mr. Beardsley  
Mr. Benton  
Mr. Deitz,  
Mr. Eaton

Mr. Gere  
Mr. Hubbard  
Mr. Maynard  
Mr. McLean

Mr. Oliver  
Mr. Rexford  
Mr. Tallmadge  
Mr. Throop

13

#### FOR THE NEGATIVE.

Mr. Allen  
Mr. Boughton  
Mr. Bronson  
Mr. Conklin

Mr. Mather  
Mr. McCarty  
Mr. McMartin  
Mr. Porter

Mr. Sherman  
Mr. Tracy  
Mr. Warren  
Mr. Wheeler

12



The said engrossed bill, entitled "An act to appoint commissioners to lay out, alter and improve the road from Lansingburgh, in the county of Rensselaer, to Bennington, in the state of New-York," was read the third time and passed.

The said engrossed bill entitled "An act to amend an act, entitled 'An act to incorporate the Florida bridge company,' passed January 30, 1828;" was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Armstrong | Mr. Hubbard  | Mr. Rexford   |
| Mr. Beardsley | Mr. Mather   | Mr. Schenck   |
| Mr. Benton    | Mr. Maynard  | Mr. Sherman   |
| Mr. Boughton  | Mr. McCarty  | Mr. Tallmadge |
| Mr. Bronson   | Mr. McLean   | Mr. Throop    |
| Mr. Conklin   | Mr. McMartin | Mr. Tracy     |
| Mr. Deitz     | Mr. Oliver   | Mr. Warren    |
| Mr. Eaton     | Mr. Porter   | Mr. Wheeler   |
| Mr. Gere      |              |               |

25

The said engrossed bill, entitled "An act directing the survey of a canal route from Rochester to the Allegany river," was read the third time and passed.

The said engrossed bill entitled "An act directing a special circuit court to be held in the county of Niagara, and for other purposes," was read the third time and passed.

The said engrossed bill entitled "An act for the relief of Nathan Underwood," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Eaton    | Mr. Porter    |
| Mr. Armstrong | Mr. Gere     | Mr. Rexford   |
| Mr. Beardsley | Mr. Hubbard  | Mr. Schenck   |
| Mr. Benton    | Mr. Mather   | Mr. Sherman   |
| Mr. Boughton  | Mr. Maynard  | Mr. Tallmadge |
| Mr. Bronson   | Mr. McCarty  | Mr. Throop    |
| Mr. Conklin   | Mr. McMartin | Mr. Warren    |
| Mr. Deitz     | Mr. Oliver   | Mr. Wheeler   |

24

Mr. President put the question on the final passage of the engrossed bill, entitled "An act to incorporate the Hudson and Delaware rail-road company," and it was decided in the affirmative; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Eaton    | Mr. Porter    |
| Mr. Armstrong | Mr. Gere     | Mr. Rexford   |
| Mr. Beardsley | Mr. Hubbard  | Mr. Schenck   |
| Mr. Benton    | Mr. Mather   | Mr. Sherman   |
| Mr. Boughton  | Mr. McCarty  | Mr. Tallmadge |
| Mr. Bronson   | Mr. McLean   | Mr. Throop    |
| Mr. Conklin   | Mr. McMartin | Mr. Warren    |
| Mr. Deitz     | Mr. Oliver   | Mr. Wheeler   |

24

*Ordered*, That the clerk deliver said several bills to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act for the relief of Junia Curtis," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly, entitled "An act relative to the justices of the peace in the city of Hudson," with the engrossed amendment, was read the third time and passed.

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same, severally, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act authorising the board of supervisors of Chenango county, to audit and allow certain accounts therein mentioned, and for other purposes," was read the third time and passed.

The bill from the Assembly, entitled "An act authorising and requiring the supervisors of the city and county of Albany, to raise certain monies for the erection of a building, for city and county purposes," was read the third time and passed.

The bill from the Assembly, entitled "An act authorising the first judges or any other judge of the court of common pleas of the counties of Rensselaer and Dutchess, of the degree of counsellor at law in the supreme court, to hold the courts of common pleas in and for those counties," was read the third time and passed.

The bill from the Assembly, entitled "An act for the relief of William Frazer," was read the third time and passed.

The bill from the Assembly, entitled "An act to authorise the supervisors of the county of Rensselaer to raise a tax to complete a court-house in said county," was read the third time and passed.

The bill from the Assembly, entitled "An act authorising the appointment of an additional inspector of lumber for the city of Albany," was read the third time and passed.

The bill from the Assembly, entitled "An act to amend an act, entitled 'An act to incorporate the Cayuga lake and Inlet steam-boat company,' passed February 25, 1828," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Porter    |
| Mr. Armstrong | Mr. Hubbard  | Mr. Rexford   |
| Mr. Beardsley | Mr. Mather   | Mr. Schenck   |
| Mr. Benton    | Mr. Maynard  | Mr. Sherman   |
| Mr. Boughton  | Mr. McCarty  | Mr. Tallmadge |
| Mr. Bronson   | Mr. McLean   | Mr. Throop    |
| Mr. Conklin   | Mr. McMartin | Mr. Warren    |
| Mr. Deitz     | Mr. Oliver   | Mr. Wheeler   |
| Mr. Eaton     |              |               |

25

The bill from the Assembly, entitled "An act authorising Henry Stephens to erect a dam across the Tiohgnioaga river;" was read the third time and passed.

The bill from the Assembly, entitled "An act to authorise Solomon Roosa to build a bridge over the Esopus creek," was read the third time and passed.

The bill from the Assembly, entitled "An act authorising the establishment of a certain road in the village of Geneseo," was read the third time and passed.

The bill from the Assembly, entitled "An act to divide the town of Cuba, in the county of Allegany," was read the third time and passed.

The bill from the Assembly, entitled "An act to authorise the justices of the supreme court to hear and dispose of non-enumerated business in vacation," was read the third time and passed.

The bill from the Assembly, entitled "An act to incorporate the Utica cotton printing company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Eaton    | Mr. Porter    |
| Mr. Armstrong | Mr. Hubbard  | Mr. Schenck   |
| Mr. Beardsley | Mr. Mather   | Mr. Sherman   |
| Mr. Benton    | Mr. Maynard  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McCarty  | Mr. Throop    |
| Mr. Bronson   | Mr. McLean   | Mr. Warren    |
| Mr. Conklin   | Mr. McMartin | Mr. Wheeler   |
| Mr. Deitz     | Mr. Oliver   |               |

23

The bill from the Assembly, entitled "An act to amend an act, passed May 4th, 1829, entitled 'An act to amend an act, entitled 'An act declaring a part of the Cayuta creek a public highway,' passed February 27, 1827," was read the third time and passed.

The bill from the Assembly, entitled "An act to amend the act, passed April 12th, 1816, entitled 'An act further to amend the act, entitled, 'An act to incorporate the Croton turnpike company;'" was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Eaton    | Mr. Porter    |
| Mr. Armstrong | Mr. Hubbard  | Mr. Schenck   |
| Mr. Beardsley | Mr. Mather   | Mr. Sherman   |
| Mr. Benton    | Mr. Maynard  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McCarty  | Mr. Throop    |
| Mr. Bronson   | Mr. McLean   | Mr. Warren    |
| Mr. Conklin   | Mr. McMartin | Mr. Wheeler   |
| Mr. Deitz     | Mr. Oliver   |               |

23

The bill from the Assembly, entitled "An act to incorporate the Rome and New-London turnpike road company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Eaton    | Mr. Porter    |
| Mr. Armstrong | Mr. Hubbard  | Mr. Rexford   |
| Mr. Beardsley | Mr. Mather   | Mr. Schenck   |
| Mr. Benton    | Mr. Maynard  | Mr. Sherman   |
| Mr. Boughton  | Mr. McCarty  | Mr. Tallmadge |
| Mr. Bronson   | Mr. McLean   | Mr. Throop    |
| Mr. Conklin   | Mr. McMartin | Mr. Warren    |
| Mr. Deitz     | Mr. Oliver   | Mr. Wheeler   |

24

The bill from the Assembly entitled "An act to incorporate the Charlotte turnpike company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Eaton    | Mr. Rexford   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Schenck   |
| Mr. Beardsley | Mr. Mather   | Mr. Sherman   |
| Mr. Benton    | Mr. Maynard  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McCarty  | Mr. Throop    |
| Mr. Bronson   | Mr. McLean   | Mr. Warren    |
| Mr. Conklin   | Mr. McMartin | Mr. Wheeler   |
| Mr. Deitz     | Mr. Porter   |               |

23

The bill from the Assembly, entitled "An act to authorise the supervisors of the county of St. Lawrence to raise money to complete their public buildings," was read the third time and passed.

The bill from Assembly, entitled "An act to incorporate the Orange Town Point steam-boat company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Eaton    | Mr. Porter    |
| Mr. Armstrong | Mr. Hubbard  | Mr. Rexford   |
| Mr. Beardsley | Mr. Mather   | Mr. Schenck   |
| Mr. Benton    | Mr. Maynard  | Mr. Sherman   |
| Mr. Boughton  | Mr. McCarty  | Mr. Tallmadge |
| Mr. Bronson   | Mr. McLean   | Mr. Throop    |
| Mr. Conklin   | Mr. McMartin | Mr. Warren    |
| Mr. Deitz     | Mr. Oliver   | Mr. Wheeler   |

24

The bill from the Assembly, entitled "An act in relation to the Poughkeepsie and New-Paltz ferry company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Eaton    | Mr. Porter    |
| Mr. Armstrong | Mr. Hubbard  | Mr. Rexford   |
| Mr. Beardsley | Mr. Mather   | Mr. Schenck   |
| Mr. Benton    | Mr. Maynard  | Mr. Sherman   |
| Mr. Boughton  | Mr. McCarty  | Mr. Tallmadge |
| Mr. Bronson   | Mr. McLean   | Mr. Throop    |
| Mr. Conklin   | Mr. McMartin | Mr. Warren    |
| Mr. Deitz     | Mr. Oliver   | Mr. Wheeler   |

24

The bill from the Assembly, entitled "An act to amend an act, entitled 'An act to incorporate the Mohawk turnpike and bridge company,' passed April 4, 1800," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Eaton    | Mr. Porter    |
| Mr. Armstrong | Mr. Hubbard  | Mr. Rexford   |
| Mr. Beardsley | Mr. Mather   | Mr. Schenck   |
| Mr. Benton    | Mr. Maynard  | Mr. Sherman   |
| Mr. Boughton  | Mr. McCarty  | Mr. Tallmadge |
| Mr. Bronson   | Mr. McLean   | Mr. Throop    |
| Mr. Conklin   | Mr. McMartin | Mr. Warren    |
| Mr. Deitz     | Mr. Oliver   | Mr. Wheeler   |

24

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same, severally, without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill, entitled "An act to incorporate the Oneida lake canal company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, re-

ported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act relative to the printing of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Allen, from the said committee, reported the same with an amendment; which report was agreed to by the Senate, and the amendment ordered to be engrossed, and the bill to a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend an act, entitled 'An act to authorise the supervisors of the county of Orleans to raise money to build a bridge across the Oak Orchard and Marsh creeks, in the town of Carlton,' passed April 25th, 1829;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Allen, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the Infant school of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported that they had disagreed to said bill.

*Ordered,* That said report be laid on the table.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the better regulation of the wharves, piers, and slips in the city of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Bronson, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act relating to the conditions of making actual settlements upon lands granted in pursuance of certain acts therein named;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Mather, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act in addition to the act respecting the election of charter officers in the city of New-York," and after some time spent thereon, Mr. President resumed the chair, and Mr. Warren, from the said committee, reported the same with an amendment; which report was agreed to by the Senate, and the amendment ordered to be engrossed and the bill to a third reading.

Mr. Armstrong gave notice that he would hereafter ask leave to bring in a bill to amend the "Act for the relief of the Farmers' woolen manufacturing company, of the town of Benton, in the county of Yates," passed April 25, 1829.

The bill entitled "An act to amend an act entitled 'An act extending and supplementary to certain acts providing for the indigent  
[SENATE JOURNAL.] Q 2

deaf and dumb within this state,' passed 15th April, 1825, and for other purposes," was returned from the Assembly, and presented to his honor the Lieutenant-Governor by the clerk.

Then the Senate adjourned until 4 o'clock, this afternoon.

#### 4 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act relating to the conditions of making actual settlements upon lands granted in pursuance of certain acts therein mentioned;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported the same with amendments, and an alteration of the title, so as to read, "An act relating to the conditions in certain grants by the state," which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill, entitled "An act relating to the appointment of auctioneers in the city of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Porter, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the Williamson fire company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising commissioners of highways in the counties of Cattaraugus and Allegany, to lay out roads through improved lands;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Sherman, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising Josiah Le Count to erect a dock in the town of New-Rochelle;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Allen, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the village of Sherburne;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to revive an act, entitled 'An act to incorporate the Whitehall and Fairhaven turnpike company;'" and after some time spent thereon, Mr. President resumed the chair, and Mr. Eaton, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the Waldea fire company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Maynard, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend an act, entitled 'An act concerning the election of justices of the peace,' passed May 4th, 1829;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act concerning the powers and duties of commissioners of deeds;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Armstrong, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising the sale of certain lands in the village of Lewiston;" and after some time spent thereon, Mr. President resumed the chair, and Mr. McCarty from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to loan money to the county of Clinton;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported the same with an amendment; which report was agreed to by the Senate, and the amendment ordered to be engrossed and the bill to a third reading.

On motion of Mr. Benton,

*Ordered*, That when the Senate adjourns, it will adjourn to meet again at 7 o'clock this afternoon.

Then the Senate adjourned until 7 o'clock this afternoon.



## 7 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to improve a road in the county of Franklin;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Beardsley, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act fixing the salary of the librarian of the state library;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Rexford, from said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend the eighty-eighth section of the fifth article of the second title of the fifteenth chapter of the first part of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. McLean, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the relief of Elizabeth Payne, Isaac Stiles and Elizabeth Stiles;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act relative to the court of general sessions in the county of Broome;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Sherman, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to authorise Joseph Hoar to change his name;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Mather, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act vesting in the United States of America, jurisdiction over a certain piece of land in the town of Watervliet, in the county of Albany;" and after some time spent thereon, Mr. President resumed the chair, and Mr. McLean, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act prescribing the figure and size of the stick used in measuring dry commodities not heaped;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend 'An act appointing commissioners to lay out certain roads therein mentioned, in the county of Broome,' passed March 31, 1817;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Bronson, from the said committee, reported progress, and asked, for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend the act passed February 19, 1829, relative to the port wardens, harbor masters and pilots of the port of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Wheeler, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Hubbard made a motion that the Senate adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |              |             |    |
|---------------|--------------|-------------|----|
| Mr. Beardsley | Mr. McCarty  | Mr. Sherman |    |
| Mr. Deitz     | Mr. McMartin | Mr. Throop  |    |
| Mr. Hubbard   | Mr. Oliver   | Mr. Wheeler |    |
| Mr. Mather    |              |             | 10 |

**FOR THE NEGATIVE.**

|               |              |               |   |
|---------------|--------------|---------------|---|
| Mr. Allen     | Mr. Boughton | Mr. Rexford   |   |
| Mr. Armstrong | Mr. Bronson  | Mr. Tallmadge |   |
| Mr. Benton    | Mr. Maynard  | Mr. Warren    | 9 |

Then the Senate adjourned until 9 o'clock to-morrow morning.

**FRIDAY, 9 O'CLOCK, A. M.—APRIL 18, 1830.**

The Senate met pursuant to adjournment.

Mr. McCarty presented the remonstrance of sundry inhabitants of the county of Albany, against the passage of the bill extending the jurisdiction of the mayor's court in the city of Albany, which was read, and referred to the committee on the judiciary.

Mr. Warren presented sundry documents relative to the Troy and Sand lake turnpike road, which were read, and referred to a committee of the whole, when on the bill from the Assembly to which the subject relates.

Mr. Benton, from the committee on the judiciary, reported the following bills from the Assembly, without expressing any opinion as to the propriety of passing the same, to wit :

“An act extending the jurisdiction of the mayor's court of the city of Albany :”

“An act to prevent the importation of foreign poor into the counties of this state, bordering on lake Champlain :”

Which were committed to a committee of the whole.

Mr. Benton, from the same committee, reported without amendment, two bills from the Assembly, of the following titles, to wit :

“An act relative to the estates of insolvent debtors and jurors in certain cases :”

“An act concerning town-meetings :”

Which were committed to a committee of the whole.

Mr. Beardsley, from the committee on the division of counties and towns, reported without amendment, two bills, from the Assembly, of the following titles, to wit :

“An act to divide the town of Watson, in the county of Lewis :”

“An act to annex a part of the town of Pomfret to the town of Arkwright, in the county of Chautauque :”

Which were ordered to a third reading.

Mr. Beardsley, from the same committee, reported without amendment, the bill from the Assembly, entitled “An act to erect a new town from parts of the towns of Edwards and De Kalb in the county of St. Lawrence;” which was committed to a committee of the whole.

Mr. Deitz, from the committee on manufactures, reported, without amendment, the bill from the Assembly, entitled “An act to amend an act concerning the inspection of sole leather;” which was committed to a committee of the whole.

Mr. McMartin, from the committee on roads and bridges, reported the bill from the Assembly, entitled “An act relative to the Troy and Sand lake turnpike company;” without expressing any opinion as to the propriety of its passage, which was committed to a committee of the whole.

Mr. Allen, from the committee on banks and insurance companies, reported, with an amendment, the bill from the Assembly, entitled “An act to prohibit the circulation of the bills of banks not

chartered by the laws of this state, under the denomination of five dollars ;" which was committed to a committee of the whole.

Mr. Hubbard, from the select committee on the bill from the Assembly, entitled " An act relative to the town of Sherburne in the county of Chenango," reported the same without amendment, which was ordered to a third reading.

Mr. Tallmadge, from the select committee on the bill from the Assembly, entitled " An act concerning a road in the county of Delaware," reported the same without amendment, which was committed to a committee of the whole.

Mr. Bronson, from the select committee, to whom was referred the communication of Samuel M. Hopkins, late commissioner for building the state-prison at Sing-Sing, and inspector of the same, addressed to the Legislature, and also a like communication from the same gentleman, addressed to the Senate, made a report on that subject, concluding with the following resolution :

*Resolved*, That the select committee of the Senate, consisting of Messrs. Bronson, Todd and Benton, to whom was referred the memorial of Samuel M. Hopkins, relative to the agent of the state-prison at Sing-Sing, be authorised and directed to proceed in the examination of the subject matter contained in the said memorial, after the adjournment of the present session of the Legislature ; and for the purpose of aiding and facilitating the said examination, the said committee are hereby authorised and directed to repair to the said prison at Sing-Sing, at such time before the meeting of the next Legislature, as they shall deem expedient.

*Resolved*, That the said committee have power to send for persons and papers, and that they report the result of their examinations to the Senate, at the next session of the Legislature.

Which were agreed to by the Senate.

[ *See Document No. 412.* ]

Mr. Conklin, from the select committee on the bill from the Assembly, entitled " An act to authorise the board of supervisors of the county of Kings, to build a penitentiary, and to raise money to pay for the same, and to authorise the sale of land belonging to the town of Brooklyn, in said county," reported the same without amendment, which was ordered to a third reading.

Mr. McMartin, from the select committee on the bill from the Assembly, entitled " An act authorising and regulating a ferry across lake Champlain, at West Port, in the county of Essex," reported the same without amendment, which was committed to a committee of the whole.

Mr. Conklin, from the select committee on the bill from the Assembly, entitled " An act to amend the act, passed 6, 1825, entitled ' An act respecting the collection of taxes in the city of New-York,' " reported the same without amendment, which was committed to a committee of the whole.

Mr. Benton, from the select committee on the following bills from the Assembly, reported the same, severally, without amendment, to wit :

"An act to improve a certain road in the counties of Lewis and Jefferson."

"An act for the relief of the town of Hounsfield."

"An act authorising John Wall to erect a toll bridge across the Oswego river."

Which were committed to a committee of the whole.

Mr. McLean, from the select committee on the bill from the Assembly, entitled "An act to authorise the supervisors of the county of Washington to raise a sum of money by tax," reported the same without amendment, which was ordered to a third reading.

Mr. Wheeler, from the select committee on the bill from the Assembly, entitled "An act requiring the supervisors of the county of Steuben to levy a tax, for the purpose of improving the navigable streams in said county," reported the same without amendment, which was committed to a committee of the whole.

Mr. McCarty, from the select committee on the petition of Charles A. Keeler and others, reported that the committee had prepared a bill, entitled "An act to incorporate a religious society in the city of Albany, for religious and moral instruction," which by leave, was brought in, read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Boughton, from the select committee on the bill from the Assembly, entitled "An act to incorporate a fire company in the village in the town of Lima, in the county of Livingston," reported the same without amendment, which was ordered to a third reading.

Mr. Boughton, from the select committee, on the bill from the Assembly, entitled "An act to authorise the erection of a new gaol in the county of Chautauque;" reported the same without amendment, which was committed to a committee of the whole.

Two messages from his honor the Lieutenant-Governor, delivered by his private secretary, were read, in the words following, to wit:

#### TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act relative to 'An act to incorporate the village of Lockport,' passed March 26, 1829."

E. T. THROOP.

*Albany, April 15, 1830.*

#### TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to amend an act entitled 'An act extending and supplementary to certain acts providing for the indigent deaf and dumb within this state,' passed 15th April, 1825, and for other purposes."

E. T. THROOP.

*Albany, April 15, 1830.*

Two bills were returned from the Assembly, of the following titles, to wit:

"An act relative to the court of common pleas for the city and county of New-York :"

"An act in relation to the sales on certain mortgages executed to the people of this state, by George McClure and others, and for other purposes :"

Which were presented to his honor the Lieutenant-Governor by the clerk.

The bill entitled "An act for the relief of Solomon Devendorff," was received from the Assembly, with a message that they had passed the same with the amendment therewith delivered.

The said amendment having been read,

*Resolved*, That the Senate do concur with the Assembly in their amendment to said bill.

*Ordered*, That the clerk deliver said bill and a copy of said resolution to the Assembly.

The bill entitled "An act relative to the justices of the peace in the city of Hudson," was received from the Assembly, with a message that they had concurred in the amendment of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

*Ordered*, That the clerk return the same to the Assembly.

Twelve bills were received from the Assembly, with a message that they had passed the same, severally, without amendment, of the following titles, to wit :

"An act respecting the hunting of deer in Suffolk county :"

"An act relating to common schools in the city of Albany :"

"An act concerning the literature fund, Oswego canal fund, and the Erie and Champlain canal fund :"

"An act declaring the New-Hamburgh turnpike a public highway :"

"An act authorising and requiring the overseers of the poor of the town of Ellicottville to pay over certain monies in their hands to the commissioners of highways of said town :"

"An act concerning convicts under the age of seventeen years, and other purposes :"

"An act to amend an act entitled 'An act to incorporate the village of Norwich :'"

"An act for the relief of Charlotte Selby :"

"An act for the amendment of the law relative to principals and factors or agents :"

"An act to incorporate the Sidney and Unadilla bridge company :"

"An act to incorporate the Long-Island sound harbor company :"

"An act to incorporate the proprietors of the long wharf at Sag Harbor, in the county of Suffolk :"

Which were presented to his honor the Lieutenant-Governor by the clerk.

Two bills were received from the Assembly for concurrence, of the following titles, to wit :

[SENATE JOURNAL.]

R 2

"An act to incorporate the president, directors and company of the Greenwich bank of the city of New-York :"

"An act to continue in force an act to incorporate the Butchers' benevolent society in the city of New-York."

Which were read the first time, and by unanimous consent were also read a second time, and committed to a committee of the whole.

Four bills were received from the Assembly, for concurrence of the following titles, to wit :

"An act to appoint a supreme court commissioner in the county of Yates :"

"An act to confirm the incorporation of the first society of the Methodist Episcopal church in the town of Parma :"

"An act for the relief of Ann Hamilton :"

"An act relative to public offices in the city of New-York :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

Two bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act to divide the town of Hinsdale, in the county of Cattaraugus :"

"An act to divide the town of Mooers, in the county of Clinton :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the division of counties and towns.

Two bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act extending the powers of the president, directors and company of the Albany and Schenectady turnpike company :"

"An act to incorporate the Syracuse and Pulaski turnpike company."

Which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the appraisement of damages on the canals ;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Brooklyn African Woolman benevolent society ;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the first senate district.

Two bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act to amend the act, passed April 19, 1828, entitled 'An act to incorporate the Dover and Union turnpike road company :'"

"An act to improve the state road from the Orange turnpike, to Nyack, in the county of Rockland :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting

of the members attending the Senate from the second senate district.

Three bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act to authorise the board of supervisors of the county of Columbia, to raise the sum of four hundred dollars, to pay the debts of the town of Stuyvesant, in said county :"

"An act to extend the gaol liberties in the county of Rensselaer :"

"An act to amend the act to incorporate the Lansingburgh turnpike company :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the members attending the Senate from the third senate district.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act, entitled 'An act for the relief of the owners of lots in the South Bay tract, in the county of Washington,' passed April 23, 1823 ;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the fourth senate district.

A bill was received from the Assembly for concurrence, entitled "An act further to amend 'An act to vest certain privileges in the freeholders and inhabitants of the village of Rome,' passed March 25, 1819," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the fifth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act, entitled 'An act to incorporate the village of Salina, in the county of Onondaga,' passed March 12, 1824," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the seventh senate district.

Two bills were received from the Assembly, for concurrence, of the following titles, to wit :

"An act to incorporate the village of Perry :"

"An act to appoint commissioners to lay out a road from the village of Mendon four corners, in the county of Monroe, to the Buffalo road in the town of Le Roy, in the county of Genesee :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of Mr. Boughton, Mr. Porter and Mr. Throop.

A communication was received from the commissioners of the land-office, relative to the repayment in certain cases, of monies paid for taxes, which was read, and ordered to be laid on the table.

[See Document No. 413.]



On motion of Mr. Benton,

*Resolved*, That the Senate do reconsider their vote of yesterday, on the resolution from the Assembly, relative to directing the canal board to suspend the collection of any higher rates of tolls, &c.

Thereupon,

On motion of Mr. Benton,

*Resolved*, That the Senate do concur with the Assembly in their said resolution, with an amendment, by striking out all after the word "concur," in the first line thereof, and inserting in lieu thereof, the words following, to wit :

"That the canal board be and they are hereby directed to suspend until the first day of January next, the collection of the five mills per ton, per mile, additional toll added by them upon freight ascending the canals from tide water ; and that they be and hereby are directed to establish the rates of toll to be collected upon all articles upon which toll is collected by weight, upon the one thousand avordupois pounds ; so regulating the amount to be charged upon the thousand pounds as to make the rates of toll conform as nearly as may be, to the rates collected during the season of 1829 ; but this direction shall not oblige the said board to raise the tolls upon any articles upon which they have made a reduction at their late session, or to reduce the rates on packet boats, or to change the tolls upon articles now to be charged by weight, but which have heretofore been charged by measure or count."

*Ordered*, That the clerk deliver a copy of the preceding resolution to the Assembly.

Mr. Mather asked for and obtained leave of absence for the remainder of the session, after to-day.

Mr. Mather, from the committee on enrolled bills, reported three bills as correctly engrossed, of the following titles, to wit :

"An act relating to conditions in certain grants by the state :"

"An act relating to the appointment of auctioneers in the city of New-York :"

"An act to incorporate the Oneida lake canal company :"

Thereupon,

The said engrossed bill entitled "An act relating to conditions in certain grants by the state," was read the third time and passed ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

#### FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Eaton    | Mr. Oliver    |
| Mr. Armstrong | Mr. Gere     | Mr. Rexford   |
| Mr. Beardsley | Mr. Hubbard  | Mr. Sherman   |
| Mr. Benton    | Mr. Mather   | Mr. Tallmadge |
| Mr. Boughton  | Mr. Maynard  | Mr. Throop    |
| Mr. Bronson   | Mr. McCarty  | Mr. Warren    |
| Mr. Conklin   | Mr. McLean   | Mr. Wheeler   |
| Mr. Deitz     | Mr. McMartin |               |

23

The said engrossed bill entitled "An act relating to the appointment of auctioneers in the city of New-York," was read the third time and passed.

The said engrossed bill entitled "An act to incorporate the Oneida lake canal company;" was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Gere    | Mr. Porter    |
| Mr. Armstrong | Mr. Hubbard | Mr. Rexford   |
| Mr. Beardsley | Mr. Mather  | Mr. Sherman   |
| Mr. Benton    | Mr. Maynard | Mr. Tallmadge |
| Mr. Bronson   | Mr. McCarty | Mr. Throop    |
| Mr. Conklin   | Mr. McLean  | Mr. Warren    |
| Mr. Deitz     | Mr. Oliver  | Mr. Wheeler   |
| Mr. Eaton     |             |               |

22

FOR THE NEGATIVE.

|              |              |
|--------------|--------------|
| Mr. Boughton | Mr. McMartin |
|--------------|--------------|

2

\* *Ordered*, That the clerk deliver said bills to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act to loan money to the county of Clinton," with the engrossed amendment, was read the third time and passed.

The bill from the Assembly, entitled "An act relative to the printing of the Revised Statutes," with the engrossed amendment, was read the third time and passed.

The bill from the Assembly, entitled "An act in addition to the act respecting the election of charter officers in the city of New-York," with the engrossed amendment, was read the third time and passed.

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same, severally, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act authorising the commissioners of highways in the counties of Cattaraugus and Allegany, to lay out roads through improved lands," was read the third time and passed.

The bill from the Assembly, entitled "An act authorising Josiah Le Count to erect a dock in the town of New-Rochelle," was read the third time and passed.

The bill from the Assembly, entitled "An act authorising the sale of certain lands in the village of Lewiston," was read the third time and passed.

The bill from the Assembly, entitled "An act for the better regulation of the wharves, piers, and slips in the city of New-York," was read the third time and passed.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to authorise the supervisors of the county of Orleans to raise money to build a bridge across the Oak-Orchard and Marsh

creeks in the town of Carlton," passed April 25th, 1829," was read the third time and passed.

The bill from the Assembly, entitled "An act to improve a road in the county of Franklin," was read the third time and passed.

The bill from the Assembly, entitled "An act fixing the salary of the librarian of the state library," was read the third time and passed.

The bill from the Assembly, entitled "An act to authorise Joseph Hoar to alter his name," was read the third time and passed.

The bill from the Assembly, entitled "An act relative to the court of general sessions in the county of Broome," was read the third time and passed.

The bill from the Assembly, entitled "An act to amend the act passed February 19, 1829, relative to the port wardens, harbor masters and pilots of the port of New-York," was read the third time and passed.

The bill from the Assembly, entitled "An act for the relief of Elizabeth Payne, Isaac Stiles and Elizabeth Stiles," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Porter    |
| Mr. Armstrong | Mr. Mather   | Mr. Rexford   |
| Mr. Beardsley | Mr. Maynard  | Mr. Sherman   |
| Mr. Benton    | Mr. McCarty  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McLean   | Mr. Throop    |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Wheeler   |
| Mr. Deitz     |              |               |

22

The bill from the Assembly, entitled "An act to incorporate the Walden fire company," was read the third time and passed; two-thirds of all the members elected to the Senate, voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Oliver    |
| Mr. Armstrong | Mr. Hubbard  | Mr. Porter    |
| Mr. Beardsley | Mr. Mather   | Mr. Rexford   |
| Mr. Benton    | Mr. Maynard  | Mr. Sherman   |
| Mr. Boughton  | Mr. McCarty  | Mr. Tallmadge |
| Mr. Bronson   | Mr. McLean   | Mr. Warren    |
| Mr. Conklin   | Mr. McMartin | Mr. Wheeler   |
| Mr. Deitz     |              |               |

22

The bill from Assembly, entitled "An act to incorporate the village of Sherburne," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Porter    |
| Mr. Armstrong | Mr. Hubbard  | Mr. Rexford   |
| Mr. Beardsley | Mr. Mather   | Mr. Sherman   |
| Mr. Benton    | Mr. Maynard  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McCarty  | Mr. Throop    |
| Mr. Bronson   | Mr. McLean   | Mr. Warren    |
| Mr. Conklin   | Mr. McMartin | Mr. Wheeler   |
| Mr. Deitz     | Mr. Oliver   |               |

23

The bill from the Assembly, entitled "An act to revive an act, entitled 'An act to incorporate the Whitehall and Fairhaven turnpike company,'" was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Porter    |
| Mr. Armstrong | Mr. Hubbard  | Mr. Rexford.  |
| Mr. Beardsley | Mr. Mather   | Mr. Sherman   |
| Mr. Benton    | Mr. Maynard  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McCarty  | Mr. Throop    |
| Mr. Bronson   | Mr. McLean   | Mr. Warren    |
| Mr. Conklin   | Mr. McMartin | Mr. Wheeler   |
| Mr. Eaton     | Mr. Oliver   |               |

23

The bill from the Assembly, entitled "An act relative to the town of Sherburne in the county of Chenango," was read the third time and passed.

The bill from the Assembly, entitled "An act to divide the town of Watson, in the county of Lewis," was read the third time and passed.

The bill from the Assembly, entitled "An act to annex a part of the town of Pomfret to the town of Arkwright, in the county of Chautauque," was read the third time and passed.

The bill from the Assembly, entitled "An act to authorise the board of supervisors of the county of Kings to build a penitentiary, and to raise money to pay for the same, and to authorise the sale of land belonging to the town of Brooklyn in said county," was read the third time and passed.

The bill from the Assembly, entitled "An act to authorise the supervisors of the county of Washington, to raise a sum of money by tax," was read the third time and passed.

The bill from the Assembly entitled "An act to incorporate a fire company in the village in the town of Lima, in the county of Livingston," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Eaton    | Mr. Oliver    |
| Mr. Armstrong | Mr. Gere     | Mr. Porter    |
| Mr. Beardsley | Mr. Hubbard  | Mr. Sherman   |
| Mr. Benton    | Mr. Mather   | Mr. Tallmadge |
| Mr. Boughton  | Mr. Maynard  | Mr. Throop    |
| Mr. Bronson   | Mr. McCarty  | Mr. Warren    |
| Mr. Conklin   | Mr. McLean   | Mr. Wheeler   |
| Mr. Deitz     | Mr. McMartin |               |

23

*Ordered*, That the clerk deliver said several bills to the Assembly, and inform them that the Senate have passed the same, severally, without amendment.

The bill from the Assembly, entitled "An act prescribing the figure and size of the stick used in measuring dry commodities not heaped," was read the time.

Thereupon,

*Ordered*, That said bill be recommitted to a committee of the whole.

After the consideration of executive business, the Senate adjourned until 4 o'clock this afternoon.

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#### 4 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

After the consideration of the executive business ;

On motion of Mr. Bronson,

*Ordered*, That when the Senate adjourns, it will adjourn to meet again at 7 o'clock this afternoon.

Then the Senate adjourned until 7 o'clock this afternoon.

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#### 7 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the president, directors and company, of the Greenwich bank of the city of New-York ;" and after some time spent thereon, Mr. President

resumed the chair, and Mr. Tallmadge, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act relating to the inspection of pot and pearl ashes in the city and county of Albany;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Beardsley, from the said committee, reported the same with amendments; which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill, entitled "An act to appoint a commissioner, under the acts for the diversion of the surplus waters of Black river, and to extend the time for levying and collecting the tax for that object;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Sherman, from said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising the supervisors of the county of St. Lawrence to levy a tax on the inhabitants of the town of Oswegatchie, to build a bridge across the Oswegatchie river at the village of Heuvel;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Bronson, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act further to amend an act, entitled 'An act to incorporate the Catskill and Ithaca rail road company,' passed April 21, 1828;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act relative to the jail limits of the county of Schenectady;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Allen, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to authorise the medical society of the county of Herkimer, to alter the time of holding their anniversary meeting;" and after some time spent thereon, Mr. President resumed the chair, and Mr. McLean, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to authorise

[SENATE JOURNAL.] S 2

Clark Hilton to erect a dam and lock upon Tonawanda creek ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported the same without amendment ; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled " An act for the relief of Ezra Thorp ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled " An act relative to the city of Albany, and to repeal certain parts of acts therein mentioned ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported the same with amendments ; which report was agreed to by the Senate, and the amendments ordered to be engrossed and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled " An act to incorporate the trustees of St. Mary's church in the city of New-York ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported the same with an amendment, which report was agreed to by the Senate, and the amendment ordered to be engrossed, and the bill to a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled " An act prescribing the figure and size of the stick used in measuring dry commodities not heaped;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Boughton, from the said committee, reported the same with amendments, and an alteration of the title, so as to read, " An act to repeal a certain section of the Revised Statutes, relative to the measurement of dry commodities," which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled " An act to alter the time of holding the court of common pleas and general sessions in and for the county of Warren ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Armstrong, from the said committee, reported the same with amendments ; which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled " An act extending the jurisdiction of the mayor's court of the city of Albany ;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Mather, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled " An act relative to the estates of insolvent debtors and jurors in certain cases ;" and after some time spent thereon, Mr. President resumed the chair, and Mr.

Tallmadge, from the said committee, reported the same with amendments; which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to prevent the importation of foreign poor into the counties of this state, bordering on lake Champlain;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 9 o'clock to-morrow morning.

*SATURDAY, 9 O'CLOCK, A. M.—APRIL 17, 1830.*

The Senate met pursuant to adjournment.

Mr. Mather presented the remonstrance of sundry inhabitants of the village of Salina, against the proposed amendment of their village charter, which was read, and referred to a select committee, consisting of the members attending the Senate from the seventh senate district.

Mr. Benton, from the committee on the judiciary, reported without amendment, the bill entitled "An act to amend certain provisions of the Revised Statutes, and in addition thereto," which was committed to a committee of the whole.

Mr. Benton, from the same committee, reported without amendment, two bills from the Assembly, of the following titles, to wit:

"An act to confirm the incorporation of the First society of the Methodist Episcopal church in the town of Parma;"

"An act for the relief of Ann Hamilton;"

Which were committed to a committee of the whole.

Mr. Wheeler, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Syracuse and Pulaski turnpike company;" which was committed to a committee of the whole.

Mr. Beardsley, from the committee on the division of counties and towns, reported without amendment, the bill from the Assembly entitled "An act to divide the town of Hinsdale, in the county of Cattaraugus;" which was committed to a committee of the whole.

Mr. Beardsley, from the same committee, reported without amendment, the bill from the Assembly, entitled "An act to divide the town of Mooers in the county of Clinton;" which was ordered to a third reading.

Mr. McMartin, from the committee on roads and bridges, reported the bill from the Assembly, entitled "An act extending the powers of the president, directors and company of the Albany and Schenectady turnpike company;" without amendment, and without



expressing any opinion as to the propriety of its passage, which was committed to a committee of the whole.

Mr. McCarty, from the select committee on the following bills from the Assembly, reported the same, severally, without amendment, to wit :

" An act to authorise the board of supervisors of the county of Columbia to raise the sum of four hundred dollars, to pay the debts of the town of Stuyvesant, in said county :"

" An act to extend the jail liberties of the county of Rensselaer :"

Which were ordered to a third reading.

Mr. McCarty, from the select committee on the bill from the Assembly, entitled " An act to amend the act to incorporate the Lansingburgh turnpike company," reported the same without amendment, which was ordered to a third reading.

Mr. Boughton, from the select committee on the bill from the Assembly, entitled " An act to appoint commissioners to lay out a road from the village of Mendon four corners, in the county of Monroe, to the Buffalo road in the town of Le Roy, in the county of Genesee ;" reported the same without amendment, which was committed to a committee of the whole.

Mr. Boughton, from the select committee, on the bill from the Assembly, entitled " An act to incorporate the village of Perry ;" reported the same without amendment, which was ordered to a third reading.

Mr. Mather, from the select committee on the bill from the Assembly, entitled " An act to amend the act, entitled ' An act to incorporate the village of Salina, in the county of Onondaga,' passed March 12, 1824," reported the same with amendments, which was committed to a committee of the whole.

Mr. McMartin, from the select committee on the bill from the Assembly, entitled " An act to amend an act, entitled ' An act for the relief of the owners of lots in the South Bay tract, in the county of Washington,' passed April 23, 1823 ;" reported the same without amendment, and without expressing any opinion as to the propriety of its passage, which was committed to a committee of the whole.

Mr. Benton, from the select committee on the bill from the Assembly, entitled " An act further to amend ' An act to vest certain privileges in the freeholders and inhabitants of the village of Rome,' passed March 26, 1819," reported the same without amendment, which was committed to a committee of the whole.

Mr. Tallmadge, from the select committee on the following bills from the Assembly, reported the same, severally, without amendment, to wit :

" An act to improve the state road from the Orange turnpike, to Nyack, in the county of Rockland :"

" An act to amend the act, passed April 19, 1828, entitled ' An act to incorporate the Dover and Union Vale turnpike road company :'"

Which were committed to a committee of the whole.

Mr. Conklin, from the select committee on the bill from the Assembly, entitled " An act to incorporate the Brooklyn African

Woolman benevolent society ;" reported the same without amendment, which was committed to a committee of the whole.

A copy of a resolution from the Assembly, was read, informing that they had concurred in the amendments of the Senate, to the resolution relative to the increased tolls on the canals.

Four bills were returned from the Assembly, of the following titles, to wit :

"An act to alter the town lines of Milford, Otego and Huntsville, in the county of Otsego :"

"An act relative to the New-Windsor and Cornwall turnpike road company :"

"An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Kingston,' passed April 6th, 1805 :"

"An act to exempt certain officers and soldiers of the revolutionary army from imprisonment for debt :"

Which were presented to his honor the Lieutenant-Governor by the clerk.

Thirteen bills were received from the Assembly, with a message that they had passed the same, severally, without amendment, of the following titles, to wit :

"An act relative to the Great Island turnpike company :"

"An act concerning the capitol, and providing for the appointment of a superintendent thereof :"

"An act for the relief of the grantee of Arthur Cazenove :"

"An act for the relief of Lemuel Wasson :"

"An act to amend the act entitled 'An act to authorise the erection of a new court-house and jail in the county of Onondaga,' passed April 5th, 1828 :"

"An act to incorporate the Woodbourne and Ellenville turnpike company :"

"An act directing the survey of a canal route from Rochester to the Allegany river :"

"An act concerning bank notes :"

"An act to incorporate the Ellenville and Shawangunk turnpike company :"

"An act relative to the Lansingburgh dry dock and hydraulic company :"

"An act directing a special circuit court to be held in the county of Niagara, and for other purposes :"

"An act to incorporate the Phoenix bridge company :"

"An act to facilitate the transfer of the public stocks of this State :"

Which were presented to his honor the Lieutenant-Governor by the clerk.

Four bills were received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, respectively, and had amended them accordingly, of the following titles, to wit :

"An act relative to the printing of the Revised Statutes :"

"An act in addition to the act respecting the election of charter officers in the city of New-York :"

"An act to loan money to the county of Clinton :"

"An act for the relief of Junia Curtis :"

The said amended bills having been examined :

*Ordered*, That the clerk return the same to the Assembly.

The bill entitled "An act relating to the sale of public lands," was received from the Assembly, with a message that they had passed the same with the amendment therewith delivered.

The said amendment having been read,

*Resolved*, That the Senate do concur with the Assembly in their amendment to said bill.

*Ordered*, That the clerk deliver said bill and a copy of said resolution to the Assembly.

The bill entitled "An act to incorporate the Orphan asylum society in the village of Utica," was received from the Assembly, with a message that they had passed the same with the amendment therewith delivered.

The said amended bill having been read,

Mr. President put the question on concurring in the same, and it was decided in the affirmative; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

#### FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Porter    |
| Mr. Armstrong | Mr. Hubbard  | Mr. Rexford   |
| Mr. Beardsley | Mr. Mather   | Mr. Schenck   |
| Mr. Benton    | Mr. Maynard  | Mr. Sherman   |
| Mr. Boughton  | Mr. McCarty  | Mr. Tallmadge |
| Mr. Bronson   | Mr. McLean   | Mr. Throop    |
| Mr. Conklin   | Mr. McMartin | Mr. Warren    |
| Mr. Deitz     | Mr. Oliver   | Mr. Wheeler   |

24

Thereupon,

*Resolved*, That the Senate do concur with the Assembly in their amendment to the said bill.

*Ordered*, That the clerk deliver said bill and a copy of said resolution to the Assembly.

The bill entitled "An act to incorporate the Canajoharie and Catskill rail road company," was received from the Assembly, with a message that they had passed the same with the amendments therewith delivered.

The said amendments having been read :

Mr. President put the question on concurring in the same, and it was decided in the affirmative; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

#### FOR THE AFFIRMATIVE.

|               |             |             |
|---------------|-------------|-------------|
| Mr. Allen     | Mr. Gere    | Mr. Porter  |
| Mr. Armstrong | Mr. Hubbard | Mr. Rexford |
| Mr. Beardsley | Mr. Mather  | Mr. Schenck |
| Mr. Benton    | Mr. Maynard | Mr. Sherman |

Mr. Boughton  
Mr. Bronson  
Mr. Conklin  
Mr. Deitz

Mr. McCarty  
Mr. McLean  
Mr. McMartin  
Mr. Oliver

Mr. Tallmadge  
Mr. Warren  
Mr. Wheeler

23

Thereupon,

*Resolved*, That the Senate do concur with the Assembly in their amendment to the said bill.

*Ordered*, That the clerk deliver the said bill and a copy of the said resolution to the Assembly.

The bill entitled "An act to extend for a limited period, the charter of the Tradesmen's bank in the city of New-York," was received from the Assembly, with a message that they do not concur in the amendments of the Senate to the same.

Mr. President put the question, "Will the Senate recede from their amendments to said bill?" and it was decided in the negative; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong  
Mr. Beardsley  
Mr. Benton  
Mr. Boughton  
Mr. Bronson  
Mr. Deitz

Mr. Gere  
Mr. Mather  
Mr. McCarty  
Mr. McLean  
Mr. McMartin  
Mr. Porter

Mr. Rexford  
Mr. Schenck  
Mr. Tallmadge  
Mr. Throop  
Mr. Warren  
Mr. Wheeler

18

FOR THE NEGATIVE.

Mr. Allen  
Mr. Conklin

Mr. Hubbard  
Mr. Maynard

Mr. Oliver  
Mr. Sherman

9

Thereupon,

*Resolved*, That the Senate do adhere to their amendments to said bill.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution to the Assembly.

The bill entitled "An act to extend for a limited period, the charter of the bank of New-York, in the city of New-York," was received from the Assembly, with a message that they do not concur in the amendments of the Senate to the same.

Mr. President put the question, "Will the Senate recede from their amendments to said bill?" and it was decided in the negative, two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong  
Mr. Beardsley  
Mr. Benton

Mr. Gere  
Mr. Mather  
Mr. McCarty

Mr. Rexford  
Mr. Schenck  
Mr. Tallmadge

Mr. Boughton  
Mr. Bronson  
Mr. Conklin  
Mr. Deitz

Mr. McLean  
Mr. McMartin  
Mr. Porter

Mr. Throop  
Mr. Warren  
Mr. Wheeler

19

## FOR THE NEGATIVE.

Mr. Allen  
Mr. Hubbard

Mr. Maynard  
Mr. Oliver

Mr. Sherman

5

Thereupon,

*Resolved*, That the Senate do adhere to their amendments to said bill.

*Ordered*, That the clerk deliver said bill and a copy of said resolution to the Assembly.

The bill, entitled "An act to extend for a limited period the charter of the Merchants' Bank in the city of New-York;" was received from the Assembly, with a message that they do not concur in the amendments of the Senate to the same.

Mr. President put the question, "Will the Senate recede from their amendments to said bill?" and it was decided in the negative; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

Mr. Armstrong  
Mr. Beardsley  
Mr. Benton  
Mr. Boughton  
Mr. Bronson  
Mr. Conklin  
Mr. Deitz

Mr. Gere  
Mr. Mather  
Mr. Maynard  
Mr. McCarty  
Mr. McLean  
Mr. McMartin  
Mr. Oliver

Mr. Porter  
Mr. Schenck  
Mr. Sherman  
Mr. Tallmadge  
Mr. Throop  
Mr. Warren  
Mr. Wheeler

21

## FOR THE NEGATIVE.

Mr. Allen

Mr. Hubbard

Mr. Rexford

3

Thereupon,

*Resolved*, That the Senate do adhere to their amendments to said bill.

*Ordered*, That the clerk deliver said bill and a copy of said resolution to the Assembly.

Four bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to extend the powers of constables in certain cases:"

"An act for the relief of Abraham D. Van Derheyden:"

"An act concerning sheriffs fees in civil cases:"

"An act altering the September term of the court of common pleas of the city and county of Albany:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act, entitled 'An act to incorporate the Bristol turnpike company ;' which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

Two bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act for the settlement of the account of Jabez Gould, deceased :"

"An act authorising a re-appraisement of certain lands in Oneida Castleton, and for other purposes :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act requiring the inspection of green hides and skins in the city of New-York ;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

A bill was received from the Assembly for concurrence, entitled "An act to authorise Erastus Bailey to use the waters of Genesee river for hydraulic purposes ;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the deficiencies in the revenue of the Oswego and the Cayuga and Seneca canals ;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act to repeal an act, entitled 'An act to incorporate the Catskill Lancaster school society,' passed March 14, 1817, and for other purposes ;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

Five bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act to alter the map of the city of New-York, by declaring certain land in the eleventh ward of the city of New-York, now called Stuyvesant-street, to be one of the public streets of said city :"

"An act to change the name of the third Methodist society in the city of New-York :"

"An act to amend an act, entitled 'An act to incorporate the New-York and Boston steam-boat company,' passed April 19, 1828 :"

"An act to incorporate the trustees of the Minetta infirmary :"

"An act to incorporate the Green-Hill wharf company :"

Which were severally read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the members attending the Senate from the first senate district.

Four bills were received from the Assembly for concurrence, of the following titles, to wit :

[SENATE JOURNAL.]

T 2

"An act to incorporate the Hamburgh and Hampton ferry company :"

"An act to incorporate the Canterbury fire company :"

"An act to incorporate the Delhi and Mercedith turnpike road company :"

"An act for the relief of James Wilkins and Richard A. Konkhyte :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the members attending the Senate from the second senate district.

Three bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act further to amend the act, entitled 'An act to incorporate the village of Hoosick Falls :'"

"An act for the payment of the fees due William Campbell :"

"An act further to amend the charter of the village of Lansingburgh :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the members attending the Senate from the third senate district.

Four bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act to continue the privileges of the act, entitled 'An act to authorise the building of a toll bridge over the Hudson river at Glen's Falls,' passed April 2, 1802 :"

"An act to incorporate the village of Amsterdam, in the county of Montgomery :"

"An act further to amend the act declaring the Schroom creek a public highway :"

"An act to incorporate a fire company in the village of White-Creek in the county of Washington :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the members attending the Senate from the fourth senate district.

Three bills were received from the Assembly, for concurrence, of the following titles, to wit :

"An act to amend and consolidate into one act, 'An act to vest certain powers in the freeholders and inhabitants of the village of Watertown,' passed April 7, 1820, and acts amendatory thereto :"

"An act to amend the act, entitled 'An act to incorporate the village of Hamilton, in the county of Madison,' passed April 12, 1816 :"

"An act to incorporate the New-York mills fire company :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the members attending the Senate from the fifth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the New-Berlin hemp company ;" which

was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the sixth senate district.

Two bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to amend the act, entitled 'An act to incorporate the village of Auburn,' passed April 18, 1815:"

"An act to incorporate the village of Liverpool:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the members attending the Senate from the seventh senate district.

Two bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to authorise the trustees of the Rochester high school to raise two thousand five hundred dollars by tax:"

"An act to incorporate the village of Mayville:"

Which were severally read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the members attending the Senate from the eighth senate district.

On motion of Mr. Benton,

*Resolved*, (if the Assembly concur,) That the hour at which the Legislature will adjourn on Tuesday next, shall be twelve o'clock at noon.

*Ordered*, That the clerk deliver a copy of said resolution to the Assembly.

On motion of Mr. Armstrong,

*Ordered*, That the committee on canals be discharged from the further consideration of the bill from the Assembly, entitled "An act in relation to the appraisement of damages on the canals," and that the same be committed to a committee of the whole.

On motion of Mr. Beardsley,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to erect a new town from parts of the towns of Edwards and DeKalb, in the county of St. Lawrence;" and that the same be ordered to a third reading.

On motion of Mr. Allen,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to prohibit the circulation of the bills of banks not chartered by the laws of this state, under the denomination of five dollars:"

After amending said bill,

*Ordered*, That the amendments be engrossed, and the bill to a third reading.

Mr. Mather, from the committee on enrolled bills, reported the bill entitled "An act to appoint a commissioner under the acts for the diversion of the surplus waters of Black river, and to extend the time for levying and collecting the tax for that object," as correctly engrossed.



Thereupon,

The said engrossed bill was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act authorising the supervisors of the county of St. Lawrence to levy a tax on the inhabitants of the town of Oswegatchie, to build a bridge across the Oswegatchie river, at the village of Heuvel," was read the third time and passed.

The bill from the Assembly, entitled "An act relative to the jail limits of the county of Schenectady," was read the third time and passed.

The bill from the Assembly, entitled "An act to authorise the medical society of the county of Herkimer to alter the time of holding their anniversary meeting," was read the third time and passed.

The bill from the Assembly, entitled "An act to authorise Clark Hilton to erect a dam and lock upon Tonawanda creek," was read the third time and passed.

The bill from the Assembly entitled "An act to incorporate the president, directors and company of the Greenwich bank of the city of New-York," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :



#### FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Gere     | Mr. Rexford   |
| Mr. Armstrong | Mr. Hubbard  | Mr. Schenck   |
| Mr. Beardsley | Mr. Mather   | Mr. Sherman   |
| Mr. Benton    | Mr. Maynard  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McCarty  | Mr. Throop    |
| Mr. Bronson   | Mr. McLean   | Mr. Warren    |
| Mr. Conklin   | Mr. McMartin | Mr. Wheeler   |
| Mr. Deitz     | Mr. Oliver   | Mr. Woodward  |
| Mr. Eaton     | Mr. Porter   |               |

26

The bill from the Assembly, entitled "An act to erect a new town from parts of the towns of Edwards and DeKalb, in the county of St. Lawrence," was read the third time and passed.

The bill from the Assembly, entitled "An act to incorporate the village of Perry," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

#### FOR THE AFFIRMATIVE.

|               |             |             |
|---------------|-------------|-------------|
| Mr. Allen     | Mr. Gere    | Mr. Porter  |
| Mr. Armstrong | Mr. Hubbard | Mr. Rexford |
| Mr. Beardsley | Mr. Mather  | Mr. Schenck |
| Mr. Benton    | Mr. Maynard | Mr. Sherman |
| Mr. Boughton  | Mr. McCarty | Mr. Throop  |
| Mr. Bronson   | Mr. McLean  | Mr. Warren  |

Mr. Conklin  
Mr. Deitz  
Mr. Eaton

Mr. McMartin  
Mr. Oliver

Mr. Wheeler  
Mr. Woodward

25

The bill from the Assembly, entitled "An act to divide the town of Mooers, in the county of Clinton," was read the third time and passed.

The bill from the Assembly, entitled "An act to authorise the board of supervisors of the county of Columbia, to raise the sum of four hundred dollars, to pay the debts of the town of Stuyvesant, in said county," was read the third time and passed.

The bill from the Assembly, entitled "An act to extend the gaol liberties in the county of Rensselaer," was read the third time and passed.

The bill from the Assembly, entitled "An act to amend the 'Act to incorporate the Lansingburgh turnpike company,'" was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

Mr. Allen  
Mr. Armstrong  
Mr. Beardsley  
Mr. Benton  
Mr. Boughton  
Mr. Bronson  
Mr. Conklin  
Mr. Deitz

Mr. Gere  
Mr. Hubbard  
Mr. Mather  
Mr. Maynard  
Mr. McCarty  
Mr. McLean  
Mr. McMartin  
Mr. Oliver

Mr. Porter  
Mr. Rexford  
Mr. Schenck  
Mr. Sherman  
Mr. Throop  
Mr. Warren  
Mr. Wheeler  
Mr. Woodward

24

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same, severally, without amendment.

The bill from the Assembly, entitled "An act further to amend an act, entitled "An act to incorporate the Catskill and Ithaca rail road company," passed April 21, 1828," was read the third time and lost; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

Mr. Allen  
Mr. Beardsley  
Mr. Benton  
Mr. Boughton  
Mr. Bronson  
Mr. Conklin  
Mr. Deitz

Mr. Gere  
Mr. McCarty  
Mr. McLean  
Mr. McMartin  
Mr. Oliver  
Mr. Porter  
Mr. Rexford

Mr. Schenck  
Mr. Sherman  
Mr. Tallmadge  
Mr. Throop  
Mr. Warren  
Mr. Wheeler  
Mr. Woodward

21

## FOR THE NEGATIVE.

Mr. Hubbard

Mr. Mather

Mr. Maynard

3

**Thereupon,**

**Resolved,** That the bill be rejected.

**Ordered,** That the clerk deliver said bill and a copy of said resolution to the Assembly.

The bill from the Assembly, entitled "An act relative to the estates of insolvent debtors, and jurors in certain cases," was read the third time and passed.

The bill from the Assembly, entitled "An act to alter the time of holding the court of common pleas and general sessions in and for the county of Warren," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly, entitled "An act relative to the city of Albany, and to repeal certain parts of acts therein mentioned," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly, entitled "An act relating to the inspection of pot and pearl ashes in the city and county of Albany," with the engrossed amendments, was read the third time and passed.

The yeas and nays being moved and seconded, were as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |             |               |    |
|---------------|-------------|---------------|----|
| Mr. Allen     | Mr. Deitz   | Mr. Rexford   |    |
| Mr. Armstrong | Mr. Eaton   | Mr. Schenck   |    |
| Mr. Beardsley | Mr. Gere    | Mr. Sherman   |    |
| Mr. Benton    | Mr. Hubbard | Mr. Tallmadge |    |
| Mr. Bronson   | Mr. McCarty | Mr. Throop    |    |
| Mr. Conklin   | Mr. Oliver  | Mr. Wheeler   | 18 |

**FOR THE NEGATIVE.**

|              |              |            |   |
|--------------|--------------|------------|---|
| Mr. Boughton | Mr. Maynard  | Mr. Porter |   |
| Mr. Mather   | Mr. McMartin | Mr. Warren | 6 |

The bill from the Assembly, entitled "An act to repeal a certain section of the Revised Statutes, relative to the measurement of dry commodities," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly, entitled "An act to incorporate the trustees of St. Mary's church in the city of New-York," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Gere    | Mr. Rexford   |
| Mr. Armstrong | Mr. Hubbard | Mr. Schenck   |
| Mr. Beardsley | Mr. Mather  | Mr. Sherman   |
| Mr. Benton    | Mr. Maynard | Mr. Tallmadge |

Mr. Baughton  
Mr. Bronson  
Mr. Conklin  
Mr. Deitz  
Mr. Eaton

Mr. McCarty  
Mr. McLean  
Mr. McMartin  
Mr. Oliver  
Mr. Porter

Mr. Throop  
Mr. Warren  
Mr. Wheeler  
Mr. Woodward

26

The bill from the Assembly, entitled "An act to prohibit the circulation of bills of banks not chartered by the laws of this state, under the denomination of five dollars," with the engrossed amendments, was read the third time and passed.

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same, severally, with the amendments therewith delivered.

The Senate then resolved itself into a committee of the whole, on the bill, entitled "An act to amend certain provisions of the Revised Statutes, and in addition thereto;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported the same with amendments; which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Then the Senate adjourned until 4 o'clock this afternoon.

#### 4 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to continue in force 'An act to incorporate an association for the relief of respectable aged, indigent females in the city of New-York,' passed March 10, 1815;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Bronson, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act concerning town meetings;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Mather, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the relief of Ezra Thorp;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend an act concerning the inspection of sole leather;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Maynard, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act relative to the Troy and Sand-lake turnpike company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported the same with an amendment; which report was agreed to by the Senate, and the amendment ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act concerning a road in the county of Delaware;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Boughton, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising and regulating a ferry across Lake Champlain at West Port, in the county of Essex;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend the act passed April 6, 1825, entitled 'An act respecting the collection of taxes in the city of New-York;'" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to improve a certain road in the counties of Lewis and Jefferson;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Beardsley, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

On motion of Mr. Benton,

*Ordered*, That when the Senate adjourns, it will adjourn to meet again at 7 o'clock this afternoon.

Then the Senate adjourned until 7 o'clock this afternoon.

## 7 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the relief of the town of Hounsfield;" and after some time spent thereon, Mr. President resumed the chair; and Mr. Allen, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising John Wall to erect a bridge across the Oswego river;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Sherman, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act requiring the supervisors of the county of Steuben to levy a tax, for the purpose of improving the navigable streams in said county;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported that the committee had disagreed to said bill.

*Ordered*, That the said report be laid on the table.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to prevent the importation of foreign poor into the counties of this state, bordering on lake Champlain;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Bronson, from the said committee, reported the same without amendments.

*Ordered*, That said report be laid on the table.

Three bills were received from the Assembly, with a message that they had passed the same, severally, without amendment, of the following titles, to wit:

"An act to incorporate the Hudson and Delaware rail-road company:"

"An act relating to the appointment of auctioneers in the city of New-York:"

"An act for the relief of Nathan Underwood:"

Which were presented to his honor the Lieutenant-Governor by the clerk.

Three bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act for the relief of Isaac J. Cole:"

"An act for the relief of Israel Dean and John De Peyster:"

"An act to change the name of Henry Hammit:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

Two bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act to extend the powers of the board of supervisors of the several counties of this state :"

"An act to fix the compensation of the under officers and servants of the two houses of the Legislature :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act to amend the third article of the second title of the fourteenth chapter of the first part of the Revised Statutes," which was read the first time and ordered to a second reading.

A bill was received from the Assembly for concurrence, entitled "An act for the relief James McMahan ;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Ontario savings bank, in the village of Canandaigua ;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act concerning the major-general of artillery in the city of New-York ;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the militia.

A bill was received from the Assembly for concurrence, entitled "An act relative to the state prisons," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on state prisons.

Three bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act to incorporate the Long-Island manufacturing company :"

"An act to amend the acts heretofore passed, for the prevention of fires in the city of New-York :"

"An act to incorporate the Jackson Marine insurance company, of the city of New-York :"

Which were severally read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the members attending the Senate from the first senate district.

Three bills were received from the Assembly for concurrence, of the following titles, to wit :

"An act to incorporate the Mariners' benevolent society, in the city of Troy :"

"An act to incorporate the Schaghticoke fire company :"

"An act to amend the act entitled an act to amend the act entitled 'An act to incorporate the Cairo bridge company,' passed April 9, 1805, and the several acts amending the same,' passed April 10, 1830 :"

Which were read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the members attending the Senate from the third senate district.

A bill was received from the Assembly for concurrence, entitled "An act to regulate auction criers in the village of Rochester;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending the Senate from the eighth senate district.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend an act, entitled 'An act concerning the election of justices of the peace,' passed May 4th, 1829;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Conklin, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act vesting in the United States of America, jurisdiction over a certain piece of land in the town of Watervliet, in the county of Albany;" and after some time spent thereon, Mr. President resumed the chair, and Mr. McLean, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act extending the jurisdiction of the mayor's court of the city of Albany;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported the same with amendments; which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

Then the Senate adjourned until 9 o'clock on Monday morning next.

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### *MONDAY, 9 O'CLOCK, A. M.—APRIL 19, 1830.*

The Senate met pursuant to adjournment.

Mr. Armstrong, from the committee on canals, reported without amendment the bill from the Assembly, entitled "An act to authorise Erastus Bailey to use the waters of Genesee river, for hydraulic purposes;" which was committed to a committee of the whole.

Mr. McLean, from the committee on literature, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Franklin Institute of Rochester;" which was ordered to a third reading.



Mr. McMartin, from the committee on roads and bridges, reported, without amendment, two bills from the Assembly, of the following titles, to wit :

"An act to amend an act, entitled 'An act to incorporate the Bristol turnpike company :'"

"An act to amend the act, entitled 'An act to amend the act, entitled 'An act to incorporate the Cairo bridge company,' passed April 9, 1805, and the several acts amending the same,' passed April 10, 1830 :"

Which were ordered to a third reading.

Mr. Benton, from the committee on the judiciary, reported against six bills from the Assembly, of the following titles, to wit :

"An act to change the name of Henry Hammit :"

"An act relative to public offices in the city of New-York :"

"An act to extend the powers of constables in certain cases :"

"An act for the relief of Henry Otterson, an alien :"

"An act concerning sheriffs fees in civil cases :"

"An act for the relief of Abraham D. Van Derheyden :"

Which were committed to a committee of the whole.

Mr. Benton, from the same committee, reported without amendment, two bills from the Assembly, of the following titles, to wit :

"An act for the relief Israel Dean and John De Peyster :"

"An act altering the September term of the court of common pleas of the city and county of Albany :"

Which were ordered to a third reading.

Mr. Benton, from the same committee, reported, without amendment, the bill from the Assembly, entitled "An act for the relief of Isaac J. Cole ;" which was committed to a committee of the whole.

Mr. Wheeler, from the committee on the militia, reported without amendment, the bill from the Assembly, entitled "An act concerning the major-general of artillery, in the city of New-York ;" which was committed to a committee of the whole.

Mr. Throop, from the committee on state prisons, reported, without amendment, the bill from the Assembly, entitled "An act relative to the state prisons ;" which was committed to a committee of the whole.

Mr. Deitz, from the committee on manufactures, reported, with an amendment, the bill from the Assembly, entitled "An act requiring the inspection of green hides and skins in the city of New-York ;" which was committed to a committee of the whole.

Mr. Allen, from the committee on banks and insurance companies, reported, without amendment, the bill from the Assembly, entitled "An act to incorporate the Ontario savings bank, in the village of Canandaigua ;" which was ordered to a third reading.

Mr. Bronson, from the committee on finance, reported without amendment, three bills from the Assembly, of the following titles, to wit :

"An act to extend the powers of the board of supervisors of the several counties in this state :"

"An act for the settlement of the account of Jabez Gould, deceased :"

"An act authorising a re-appraisement of certain lands in Oneida Castleton, and for other purposes:"

Which were committed to a committee of the whole.

Mr. Todd, from the committee on canals, reported against the bill from the Assembly, entitled "An act to incorporate the Rochester canal and rail-road company;" which was committed to a committee of the whole.

Mr. Mather, from the select committee on the bill from the Assembly, entitled "An act to incorporate the village of Liverpool;" reported the same with an amendment, which was committed to a committee of the whole.

Mr. Throop, from the select committee on the bill from the Assembly, entitled "An act to amend the act, entitled 'An act to incorporate the village of Auburn,' passed April 18, 1815;" reported the same without amendment.

Thereupon,

After amending said bill, the amendments were ordered to be engrossed, and the bill to a third reading.

Mr. Boughton, from the select committee on the following bills from the Assembly, reported the same, severally, without amendment, to wit:

"An act to incorporate the village of Mayville:"

"An act to authorise the trustees of the Rochester high school to raise two thousand five hundred dollars by tax:"

"An act to regulate auction criers in the village of Rochester:"

Which were ordered to a third reading.

Mr. Warren, from the select committee on the following bills from the Assembly, reported the same, severally, without amendment, to wit:

"An act further to amend the charter of the village of Lansingburgh:"

"An act further to amend the act, entitled 'An act to incorporate the village of Hoosick Falls:'"

"An act to incorporate the Schaghticoke fire company:"

"An act for the payment of the fees due William Campbell:"

Which were ordered to a third reading.

Mr. Warren, from the select committee on the bill from the Assembly, entitled "An act to incorporate the Mariners' benevolent society in the city of Troy;" reported the same without amendment, which was ordered to be laid on the table.

Mr. Tallmadge, from the select committee on the following bills from the Assembly, reported the same, severally, without amendment, to wit:

"An act to incorporate the Canterbury fire company:"

"An act to incorporate the Delhi and Meredith turnpike road company:"

"An act for the relief of James Wilkins and Richard A. Konkhyte:"

"An act to incorporate the Hamburgh and Hampton ferry company:"

Which were ordered to a third reading.

Mr. Tallmadge, from the committee on literature, reported against the bill from the Assembly, entitled "An act to repeal an act, entitled 'An act to incorporate the Catskill Lancaster school society,' passed March 14, 1817, and for other purposes;" which was committed to a committee of the whole.

Mr. Allen, from the select committee on the bill from the Assembly, entitled "An act to amend the acts heretofore passed for the prevention of fires in the city of New-York;" reported the same without amendment, which was ordered to a third reading.

Mr. Wheeler, from the select committee, on the bill from the Assembly, entitled "An act to incorporate the New-Berlin hemp company;" reported the same without amendment, which was ordered to a third reading.

Mr. Sherman, from the select committee on so much of the message of his honor the Lieutenant-Governor as relates to the sale of the fortifications on Staten Island, made a report on that subject, concluding with the following resolutions:

*Resolved*, (if the Assembly concur herein,) That a negotiation be opened with the general government, by or under the direction of the Acting Governor, for the sale of the ground and fortifications at the Narrows on Staten-Island; and that the proceedings therein be reported to the Legislature at their next session.

*Resolved*, That the Acting Governor cause the act of 15th April, 1826, making an appropriation for a survey, map and estimate of the value of said public works and ground, so far as relates to any duties not performed under the first section thereof, to be carried into effect.

Which were agreed to by the Senate.

*Ordered*, That the clerk deliver a copy of said resolution to the Assembly.

[See Document No. 434.]

Mr. McLean, from the select committee on the following bills from the Assembly, reported the same, severally, without amendment, to wit:

"An act to continue the privileges of the act, entitled 'An act to authorise the building of a toll bridge over the Hudson river at Glen's Falls,' passed April 2, 1802:"

"An act to incorporate a fire company in the village of White-Creek in the county of Washington:"

Which were ordered to a third reading.

Mr. McMartin, from the select committee on the following bills from the Assembly, reported the same, severally, without amendment, to wit:

"An act to incorporate the village of Amsterdam, in the county of Montgomery:"

"An act further to amend the act declaring the Schroon river a public highway:"

Which were ordered to a third reading.

Mr. Sherman, from the select committee on the bill from the Assembly, entitled "An act to incorporate the Jackson marine insur-

ance company, of the city of New-York," reported the same without amendment, which was committed to a committee of the whole.

Mr. Conklin, from the select committee on the following bills from the Assembly, reported the same, severally, without amendment, to wit :

"An act to alter the map of the city of New-York, by declaring certain land in the eleventh ward of the city of New-York, now called Stuyvesant-street, to be one of the public streets of said city :"

"An act to amend an act, entitled 'An act to incorporate the New-York and Boston steam-boat company,' passed April 19, 1828 :"

"An act to change the name of the third Methodist society in the city of New-York :"

"An act to incorporate the trustees of the Minetta infirmary :"

"An act to incorporate the Long-Island manufacturing company :"

Which were committed to a committee of the whole.

Mr. Conklin, from the select committee on the bill from the Assembly, entitled "An act to incorporate the Green-Hill wharf company," reported the same without amendment, which was ordered to a third reading.

Mr. Benton, from the select committee on the bill from the Assembly, entitled "An act to amend the act, entitled 'An act to incorporate the village of Hamilton, in the county of Madison,' passed April 12, 1816," reported the same without amendment, which was ordered to a third reading.

Mr. Benton, from the select committee on the bill from the Assembly, entitled "An act to incorporate the New-York mills fire company;" reported the same without amendment, which was ordered to be laid on the table.

Mr. Benton, from the select committee on the bill from the Assembly, entitled "An act to amend and consolidate into one act, 'An act to vest certain powers in the freeholders and inhabitants of the village of Watertown,' passed April 7, 1820, and acts amendatory thereof;" reported the same with an amendment, which was committed to a committee of the whole.

Two messages from his honor the Lieutenant-Governor, delivered by his private secretary, were read, in the words following, to wit :

## TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act concerning the literature fund, Oswego canal fund, and the Erie and Champlain canal fund :"

Also the bill entitled "An act to enable resident aliens to hold and convey real estate :"

Also the bill entitled "An act respecting the hunting of deer in Suffolk county :"

Also the bill entitled "An act concerning convicts under the age of seventeen years, and other purposes :"

Also the bill entitled "An act authorising and requiring the overseers of the poor of the town of Ellicottville to pay over certain monies in their hands to the commissioners of highways of said town :"

Also the bill entitled "An act declaring the New-Hamburgh turnpike a public highway :"

Also the bill entitled "An act for the amendment of the law relative to principals and factors or agents :"

Also the bill entitled "An act for the relief of Charlotte Selby :"

Also the bill entitled "An act to amend the act entitled 'An act to incorporate the village of Norwich :'"

Also the bill entitled "An act to incorporate the proprietors of the long wharf at Sagg-Harbor, in the county of Suffolk :"

Also the bill entitled "An act to incorporate the Long-Island sound harbor company :"

Also the bill entitled "An act to incorporate the Sidney and Unadilla bridge company :"

Also the bill entitled "An act relative to the court of common pleas for the city and county of New-York :"

Also the bill entitled "An act in relation to the sales on certain mortgages executed to the people of this state, by George McClure and others, and for other purposes :"

E. T. THROOP.

*Albany, April 16, 1830.*

#### TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act directing a special circuit court to be held in the county of Niagara, and for other purposes :"

Also the bill entitled "An act relating to common schools in the city of Albany :"

Also the bill entitled "An act to alter the town lines of Milford, Otsego and Huntsville, in the county of Otsego :"

Also the bill entitled "An act relative to the Lansingburgh dry dock and hydraulic company :"

Also the bill entitled "An act concerning bank notes :"

Also the bill entitled "An act to facilitate the transfer of the public stocks of this State :"

Also the bill entitled "An act relative to the New-Windsor and Cornwall turnpike road company :"

Also the bill entitled "An act to amend an act entitled "An act to vest certain powers in the freeholders and inhabitants of the village of Kingston," passed April 6th, 1805 :"

Also the bill entitled "An act to exempt certain officers and soldiers of the revolutionary army from imprisonment for debt :"

Also the bill entitled "An act concerning the Capitol, and providing for the appointment of a superintendent thereof :"

Also the bill entitled "An act for the relief of the grantee of Arthur Cazenove :"

Also the bill entitled "An act relative to the Great Island turnpike company :"

Also the bill entitled "An act to amend the act entitled 'An act to authorise the erection of a new court-house and jail in the county of Onondaga,' passed April 5th, 1828 :"

Also the bill entitled "An act for the relief of Lemuel Wasson ;"

Also the bill entitled "An act to incorporate the Ellenville and Shawangunk turnpike company :"

Also the bill entitled "An act directing the survey of a canal route from Rochester to the Allegany river :"

Also the bill entitled "An act to incorporate the Phoenix bridge company :"

Also the bill entitled "An act to incorporate the Woodbourne and Ellenville turnpike company :"

E. T. THROOP.

*Albany, April 17, 1830.*

The bill entitled "An act relative to the estates of insolvent debtors and jurors in certain cases," was received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined :

*Ordered,* That the clerk return the same to the Assembly.

A copy of a resolution from the Assembly, was read, in the words following, to wit :

*Resolved,* (if the Senate concur,) That there be appointed a committee of three persons, to consist of one member of the Senate and two members of the Assembly, who shall examine the accounts and vouchers of the Treasurer, pursuant to the provisions of title fourth, chapter eighth of the first part of the Revised Statutes ; and in case of such concurrence, that Mr. Mann and Mr. Gosman be of said committee, on the part of this house.

*Ordered,* That said resolution be laid upon the table.

The bill from the Assembly, entitled "An act to amend the third article of the second title of the fourteenth chapter of the first part of the Revised Statutes," was read the second time, and referred to a select committee, consisting of the members attending the Senate from the first senate district.

On motion of Mr. Boughton,

*Ordered,* That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to erect a new gaol in the county of Chautauque," and that the same be ordered to a third reading.

On motion of Mr. Benton,

*Resolved,* (if the Assembly concur herein,) That the tenth joint rule of the Senate and Assembly be suspended, so far as to permit "An act to amend certain provisions of the Revised Statutes, and in addition thereto," to be sent to the Assembly for concurrence.

*Ordered,* That the clerk deliver a copy of said resolution to the Assembly.

On motion of Mr. Allen,

*Ordered,* That the bill from the Assembly, entitled "An act for the better security of mechanics and others erecting buildings in the

city and county of New-York," be made the special order of the day for to-day.

Four bills were returned from the Assembly, of the following titles, to wit :

" An act for the relief of Solomon Devendorf :"

" An act to incorporate the Orphan asylum society in the village of Utica :"

" An act relating to the public lands :"

" An act to incorporate the Canajoharie and Catskill rail-road company :"

Which were presented to his honor the Lieutenant-Governor by the clerk.

Six bills were received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, respectively, and had amended them accordingly, of the following titles, to wit :

" An act to alter the time of holding the court of common pleas and general sessions in and for the county of Warren :"

" An act to prohibit the circulation of the bills of banks not chartered by the laws of this state, under the denomination of five dollars :"

" An act to incorporate the trustees of St. Mary's church, in the city of New-York :"

" An act relating to the inspection of pot and pearl ashes in the city and county of Albany :"

" An act to repeal a certain section of the Revised Statutes, relative to the measurement of dry commodities :"

" An act relative to the city of Albany, and to repeal certain parts of acts therein mentioned :"

The said amended bills having been examined,

*Ordered*, That the clerk return the same to the Assembly.

A copy of a resolution from the Assembly, was read, informing that they had concurred in the resolution of the Senate of Saturday last, that the hour for the adjournment of the Legislature on Tuesday next, be twelve o'clock at noon.

A copy of a resolution from the Assembly, was read, informing that they had concurred in the resolution of the Senate of this day, for suspending the tenth joint rule of the Senate and Assembly, with an amendment, by adding at the end thereof, the words " and also to authorise the transmission to the Senate of the bill entitled ' An act to abolish imprisonment for debt,' and also the bill entitled ' An act for the payment of certain officers and expenses of government.' "

*Resolved*, That the Senate do concur with the Assembly in their amendment to said resolution.

*Ordered*, That the clerk deliver a copy of the [preceding resolution to the Assembly.

A message from his honor the Lieutenant-Governor, delivered by his private secretary, was read in the words following, to wit :

## TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act for the relief of Nathan Underwood:"

Also the bill entitled "An act relating to the appointment of auctioneers in the city of New-York :"

Also the bill entitled "An act to incorporate the Hudson and Delaware rail-road company :"

E. T. THROOP.

*Albany, April 19, 1830.*

A communication from John Tracy was received and read, in the words following, to wit :"

*Oxford, April 15th, 1830.*

SIR—

In pursuance of the statute requiring any person, being a trustee of an academy, who shall be elected a Regent of the University, to elect and give notice in which office he will serve, I beg leave to communicate, through you, to the Senate my acceptance of the office of Regent of the University, with which I have been honored by the Legislature.

JOHN TRACY.

*To the honorable the President of the Senate.*

Mr. Mather, from the committee on enrolled bills, reported the bill entitled "An act to amend certain provisions of the Revised Statutes, and in addition thereto," as correctly engrossed.

Thereupon,

The said engrossed bill was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act for the relief of the town of Hounsfield," was read the third time and passed.

The bill from the Assembly, entitled "An act authorising John Wall to erect a toll bridge across the Oswego river," was read the third time and passed.

The bill from the Assembly, entitled "An act to continue in force 'An act to incorporate an association for the relief of respectable aged indigent females in the city of New-York,' passed March 10, 1815," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

## FOR THE AFFIRMATIVE.

|               |              |             |
|---------------|--------------|-------------|
| Mr. Allen     | Mr. Hubbard  | Mr. Sanford |
| Mr. Armstrong | Mr. Mather   | Mr. Schenck |
| Mr. Beardsley | Mr. Maynard  | Mr. Sherman |
| Mr. Benton    | Mr. McCarty  | Mr. Throop  |
| Mr. Boughton  | Mr. McLean   | Mr. Todd    |
| Mr. Bronson   | Mr. McMartin | Mr. Warren  |



|             |             |              |
|-------------|-------------|--------------|
| Mr. Conklin | Mr. Oliver  | Mr. Wheeler  |
| Mr. Deitz   | Mr. Porter  | Mr. Woodward |
| Mr. Gere    | Mr. Rexford | 26           |

The bill from the Assembly, entitled "An act for the relief of Ezra Thorp," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. McLean   | Mr. Sherman   |
| Mr. Armstrong | Mr. McMartin | Mr. Tallmadge |
| Mr. Beardsley | Mr. Oliver   | Mr. Throop    |
| Mr. Boughton  | Mr. Porter   | Mr. Todd      |
| Mr. Conklin   | Mr. Rexford  | Mr. Warren    |
| Mr. Deitz     | Mr. Sanford  | Mr. Wheeler   |
| Mr. Gere      | Mr. Schenck  | Mr. Woodward  |
| Mr. McCarty   |              | 22            |

## FOR THE NEGATIVE.

|             |             |             |
|-------------|-------------|-------------|
| Mr. Benton  | Mr. Hubbard | Mr. Maynard |
| Mr. Bronson | Mr. Mather  | 5           |

The bill from the Assembly, entitled "An act to amend an act concerning the inspection of sole leather," was read the third time and passed.

The bill from the Assembly entitled "An act concerning a road in the county of Delaware," was read the third time and passed.

The bill from the Assembly, entitled "An act authorising and regulating a ferry across lake Champlain, at Westport, in the county of Essex," was read the third time and passed.

The bill from the Assembly, entitled "An act to amend the act passed April 6th, 1825, entitled 'An act respecting the collection of taxes in the city of New-York,'" was read the third time and passed.

The bill from the Assembly, entitled "An act to improve a certain road in the counties of Lewis and Jefferson," was read the third time and passed.

The bill from the Assembly, entitled "An act to incorporate the Franklin Institute of Rochester," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Hubbard  | Mr. Sanford   |
| Mr. Armstrong | Mr. Mather   | Mr. Sherman   |
| Mr. Beardsley | Mr. Maynard  | Mr. Tallmadge |
| Mr. Benton    | Mr. McCarty  | Mr. Throop    |
| Mr. Boughton  | Mr. McLean   | Mr. Todd      |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |

|             |             |              |    |
|-------------|-------------|--------------|----|
| Mr. Conklin | Mr. Oliver  | Mr. Wheeler  |    |
| Mr. Deitz   | Mr. Porter  | Mr. Woodward |    |
| Mr. Gere    | Mr. Rexford |              | 26 |

The bill from the Assembly, entitled "An act to amend an act, entitled 'An act to incorporate the Bristol turnpike company,'" was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |    |
|---------------|--------------|---------------|----|
| Mr. Allen     | Mr. McCarty  | Mr. Schenck   |    |
| Mr. Armstrong | Mr. McLean   | Mr. Tallmadge |    |
| Mr. Benton    | Mr. McMartin | Mr. Throop    |    |
| Mr. Boughton  | Mr. Oliver   | Mr. Todd      |    |
| Mr. Bronson   | Mr. Porter   | Mr. Warren    |    |
| Mr. Conklin   | Mr. Rexford  | Mr. Wheeler   |    |
| Mr. Gere      | Mr. Sanford  | Mr. Woodward  |    |
| Mr. Hubbard   |              |               | 22 |

The bill from the Assembly, entitled "An act to amend an act, entitled 'An act to amend the act, entitled 'An act to incorporate the Cairo bridge company,' passed April 9, 1805, and the several acts amending the same,' passed April 10, 1830," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |    |
|---------------|--------------|---------------|----|
| Mr. Allen     | Mr. Hubbard  | Mr. Schenck   |    |
| Mr. Armstrong | Mr. McCarty  | Mr. Sherman   |    |
| Mr. Benton    | Mr. McLean   | Mr. Tallmadge |    |
| Mr. Boughton  | Mr. McMartin | Mr. Throop    |    |
| Mr. Bronson   | Mr. Oliver   | Mr. Todd      |    |
| Mr. Conklin   | Mr. Porter   | Mr. Warren    |    |
| Mr. Deitz     | Mr. Rexford  | Mr. Wheeler   |    |
| Mr. Gere      | Mr. Sanford  | Mr. Woodward  | 24 |

The bill from the Assembly, entitled "An act for the relief of Israel Dean and John De Peyster," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |    |
|---------------|--------------|---------------|----|
| Mr. Allen     | Mr. Hubbard  | Mr. Schenck   |    |
| Mr. Armstrong | Mr. McCarty  | Mr. Sherman   |    |
| Mr. Benton    | Mr. McLean   | Mr. Tallmadge |    |
| Mr. Boughton  | Mr. McMartin | Mr. Throop    |    |
| Mr. Bronson   | Mr. Oliver   | Mr. Todd      |    |
| Mr. Conklin   | Mr. Porter   | Mr. Warren    |    |
| Mr. Deitz     | Mr. Rexford  | Mr. Wheeler   |    |
| Mr. Gere      | Mr. Sanford  | Mr. Woodward  | 24 |

city and county of New-York," be made the special order of the day for to-day.

Four bills were returned from the Assembly, of the following titles, to wit:

"An act for the relief of Solomon Devendorf:—"

"An act to incorporate the Orphan asylum society in the village of Utica:—"

"An act relating to the public lands:—"

"An act to incorporate the Canajoharie and Catskill rail-road company:—"

Which were presented to his honor the Lieutenant-Governor by the clerk.

Six bills were received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, respectively, and had amended them accordingly, of the following titles, to wit:

"An act to alter the time of holding the court of common pleas and general sessions in and for the county of Warren:—"

"An act to prohibit the circulation of the bills of banks not chartered by the laws of this state, under the denomination of five dollars:—"

"An act to incorporate the trustees of St. Mary's church, in the city of New-York:—"

"An an relating to the inspection of pot and pearl ashes in the city and county of Albany:—"

"An act to repeal a certain section of the Revised Statutes, relative to the measurement of dry commodities:—"

"An act relative to the city of Albany, and to repeal certain parts of acts therein mentioned:—"

The said amended bills having been examined,

*Ordered*, That the clerk return the same to the Assembly.

A copy of a resolution from the Assembly, was read, informing that they had concurred in the resolution of the Senate of Saturday last, that the hour for the adjournment of the Legislature on Tuesday next, be twelve o'clock at noon.

A copy of a resolution from the Assembly, was read, informing that they had concurred in the resolution of the Senate of this day, for suspending the tenth joint rule of the Senate and Assembly, with an amendment, by adding at the end thereof, the words "and also to authorise the transmission to the Senate of the bill entitled 'An act to abolish imprisonment for debt,' and also the bill entitled 'An act for the payment of certain officers and expenses of government.'"

*Resolved*, That the Senate do concur with the Assembly in their amendment to said resolution.

*Ordered*, That the clerk deliver a copy of the [preceding resolution to the Assembly.

A message from his honor the Lieutenant-Governor, delivered by his private secretary, was read in the words following, to wit:

## TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act for the relief of Nathan Underwood:"

Also the bill entitled "An act relating to the appointment of auctioneers in the city of New-York:"

Also the bill entitled "An act to incorporate the Hudson and Delaware rail-road company:"

E. T. THROOP.

*Albany, April 19, 1830.*

A communication from John Tracy was received and read, in the words following, to wit:"

*Oxford, April 15th, 1830.*

SIR—

In pursuance of the statute requiring any person, being a trustee of an academy, who shall be elected a Regent of the University, to elect and give notice in which office he will serve, I beg leave to communicate, through you, to the Senate my acceptance of the office of Regent of the University, with which I have been honored by the Legislature.

JOHN TRACY.

*To the honorable the President of the Senate.*

Mr. Mather, from the committee on enrolled bills, reported the bill entitled "An act to amend certain provisions of the Revised Statutes, and in addition thereto," as correctly engrossed.

Thereupon,

The said engrossed bill was read the third time and passed.

*Ordered,* That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act for the relief of the town of Hounsfield," was read the third time and passed.

The bill from the Assembly, entitled "An act authorising John Wall to erect a toll bridge across the Oswego river," was read the third time and passed.

The bill from the Assembly, entitled "An act to continue in force 'An act to incorporate an association for the relief of respectable aged indigent females in the city of New-York,' passed March 10, 1815," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

Mr. Allen  
Mr. Armstrong  
Mr. Beardsley  
Mr. Benton  
Mr. Boughton  
Mr. Bronson

Mr. Hubbard  
Mr. Mather  
Mr. Maynard  
Mr. McCarty  
Mr. McLean  
Mr. McMartin

Mr. Sanford  
Mr. Schenck  
Mr. Sherman  
Mr. Throop  
Mr. Todd  
Mr. Warren

The bill from the Assembly, entitled "An act altering the September term of the court of common pleas of the city and county of Albany," was read the third time and passed.

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same, severally, without amendment.

The bill from the Assembly, entitled "An act relative to the Troy and Sand-lake turnpike company," was read the third time and lost; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Hubbard  | Mr. Schenck   |
| Mr. Armstrong | Mr. Mather   | Mr. Sherman   |
| Mr. Beardsley | Mr. Maynard  | Mr. Tallmadge |
| Mr. Benton    | Mr. McLean   | Mr. Throop    |
| Mr. Boughton  | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Woodward  |
| Mr. Gere      | Mr. Porter   |               |

20

FOR THE NEGATIVE.

|             |             |             |
|-------------|-------------|-------------|
| Mr. Deitz   | Mr. Rexford | Mr. Wheeler |
| Mr. McCarty | Mr. Todd    |             |

5

Thereupon,

*Resolved*, That the bill be rejected.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

The bill from the Assembly, entitled "An act extending the jurisdiction of the mayor's court of the city of Albany," with the engrossed amendments, was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly, entitled "An act to incorporate the Ontario savings bank, in the village of Canandaigua," was read the third time.

Thereupon,

Mr. Benton made a motion that the said bill be recommitted to a committee of the whole.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE:

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Mather   | Mr. Tallmadge |
| Mr. Beardsley | Mr. McLean   | Mr. Throop    |
| Mr. Boughton  | Mr. McMartin | Mr. Woodward  |
| Mr. Conklin   | Mr. Porter   |               |

11

## FOR THE AFFIRMATIVE.

|               |             |             |
|---------------|-------------|-------------|
| Mr. Armstrong | Mr. Hubbard | Mr. Sherman |
| Mr. Benton    | Mr. McCarty | Mr. Todd    |
| Mr. Deitz     | Mr. Oliver  | Mr. Wheeler |
| Mr. Gere      | Mr. Rexford |             |

11

Thereupon,

The said bill having been amended by unanimous consent,

Mr. President put the question on the final passage of the same, with the engrossed amendments, and it was decided in the affirmative; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Hubbard  | Mr. Porter    |
| Mr. Armstrong | Mr. Mather   | Mr. Rexford   |
| Mr. Beardsley | Mr. Maynard  | Mr. Sherman   |
| Mr. Benton    | Mr. McCarty  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McLean   | Mr. Throop    |
| Mr. Bronson   | Mr. McMartin | Mr. Todd      |
| Mr. Conklin   | Mr. Oliver   | Mr. Woodward  |
| Mr. Gere      |              |               |

22

## FOR THE NEGATIVE.

Mr. Wheeler

1

*Ordered*, That the clerk deliver said bills to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act concerning town meetings," was read the third time, and the question on its final passage ordered to be laid on the table.

On motion of Mr. Benton,

*Ordered*, That when the Senate adjourns, it will adjourn to meet again at half past 3 o'clock this afternoon.

Then the Senate adjourned until half past 3 o'clock this afternoon.

---

HALF PAST 3 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the better security of mechanics and others erecting buildings in the ci-

ty and county of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Benton, from the said committee, reported the same with amendments; which report was agreed to by the Senate, and the amendments ordered to be engrossed and the bill to a third reading.

The bill from Assembly, entitled "An act to incorporate the village of Mayville," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Hubbard  | Mr. Schenck   |
| Mr. Armstrong | Mr. Maynard  | Mr. Sherman   |
| Mr. Benton    | Mr. McCarty  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McLean   | Mr. Throop    |
| Mr. Bronson   | Mr. McMartin | Mr. Todd      |
| Mr. Conklin   | Mr. Oliver   | Mr. Warren    |
| Mr. Deitz     | Mr. Porter   | Mr. Wheeler   |
| Mr. Gere      | Mr. Rexford  | Mr. Woodward  |

24

The bill from the Assembly, entitled "An act further to amend the act, entitled 'An act to incorporate the village of Hoosick Falls,'" was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Mather   | Mr. Schenck   |
| Mr. Armstrong | Mr. Maynard  | Mr. Sherman   |
| Mr. Benton    | Mr. McCarty  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McLean   | Mr. Throop    |
| Mr. Bronson   | Mr. McMartin | Mr. Todd      |
| Mr. Conklin   | Mr. Oliver   | Mr. Warren    |
| Mr. Deitz     | Mr. Porter   | Mr. Wheeler   |
| Mr. Gere      | Mr. Rexford  | Mr. Woodward  |
| Mr. Hubbard   |              |               |

25

The bill from the Assembly, entitled "An act for the payment of the fees due William Campbell," was read the third time and passed.

The bill from the Assembly, entitled "An act to incorporate the Schaghticoke fire company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Mather  | Mr. Schenck   |
| Mr. Armstrong | Mr. Maynard | Mr. Sherman   |
| Mr. Benton    | Mr. McCarty | Mr. Tallmadge |
| Mr. Boughton  | Mr. McLean  | Mr. Throop    |

Mr. Bronson  
Mr. Conklin  
Mr. Deitz  
Mr. Gere  
Mr. Hubbard

Mr. McMartin  
Mr. Oliver  
Mr. Porter  
Mr. Rexford

Mr. Todd  
Mr. Warren  
Mr. Wheeler  
Mr. Woodward

25

The bill from the Assembly, entitled "An act for the relief of James Wilkins and Richard A. Konkhyte," was read the third time and passed.

The bill from the Assembly, entitled "An act to incorporate the Delhi and Meredith turnpike road company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

Mr. Allen  
Mr. Armstrong  
Mr. Beardsley  
Mr. Benton  
Mr. Boughton  
Mr. Bronson  
Mr. Conklin  
Mr. Deitz  
Mr. Gere

Mr. Hubbard  
Mr. Mather  
Mr. Maynard  
Mr. McCarty  
Mr. McLean  
Mr. McMartin  
Mr. Oliver  
Mr. Porter  
Mr. Rexford

Mr. Schenck  
Mr. Sherman  
Mr. Tallmadge  
Mr. Throop  
Mr. Todd  
Mr. Warren  
Mr. Wheeler  
Mr. Woodward

26

The bill from the Assembly, entitled "An act to incorporate the Canterbury fire company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

Mr. Allen  
Mr. Armstrong  
Mr. Beardsley  
Mr. Benton  
Mr. Boughton  
Mr. Bronson  
Mr. Conklin  
Mr. Deitz  
Mr. Gere

Mr. Hubbard  
Mr. Mather  
Mr. Maynard  
Mr. McCarty  
Mr. McLean  
Mr. McMartin  
Mr. Oliver  
Mr. Porter  
Mr. Rexford

Mr. Schenck  
Mr. Sherman  
Mr. Tallmadge  
Mr. Throop  
Mr. Todd  
Mr. Warren  
Mr. Wheeler  
Mr. Woodward

26

The bill from the Assembly, entitled "An act to amend the acts heretofore passed, for the prevention of fires in the city of New-York," was read the third time and passed.

The bill from the Assembly, entitled "An act to incorporate a fire company in the village of White-Creek in the county of Washington," was read the time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:



## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Mather   | Mr. Schenck   |
| Mr. Armstrong | Mr. Maynard  | Mr. Sherman   |
| Mr. Benton    | Mr. McCarty  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McLean   | Mr. Throop    |
| Mr. Bronson   | Mr. McMartin | Mr. Todd      |
| Mr. Conklin   | Mr. Oliver   | Mr. Warren    |
| Mr. Deitz,    | Mr. Porter   | Mr. Wheeler   |
| Mr. Gere      | Mr. Rexford  | Mr. Woodward  |
| Mr. Hubbard   |              |               |

25

The bill from the Assembly, entitled "An act to continue the privileges of the act, entitled 'An act to authorise the building of a toll bridge over the Hudson river at Glen's Falls,' passed April 2, 1802," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Mather   | Mr. Schenck   |
| Mr. Armstrong | Mr. Maynard  | Mr. Sherman   |
| Mr. Benton    | Mr. McCarty  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McLean   | Mr. Throop    |
| Mr. Bronson   | Mr. McMartin | Mr. Todd      |
| Mr. Conklin   | Mr. Oliver   | Mr. Warren    |
| Mr. Deitz     | Mr. Porter   | Mr. Wheeler   |
| Mr. Gere      | Mr. Rexford  | Mr. Woodward  |
| Mr. Hubbard   | Mr. Sanford  |               |

26

The bill from the Assembly, entitled "An act further to amend the act declaring the Schroon river a public highway," was read the third time and passed.

The bill from the Assembly, entitled "An act to incorporate the village of Amsterdam, in the county of Montgomery," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Hubbard  | Mr. Sanford   |
| Mr. Armstrong | Mr. Mather   | Mr. Schenck   |
| Mr. Beardsley | Mr. Maynard  | Mr. Tallmadge |
| Mr. Benton    | Mr. McCarty  | Mr. Throop    |
| Mr. Boughton  | Mr. McLean   | Mr. Todd      |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Wheeler   |
| Mr. Deitz     | Mr. Porter   | Mr. Woodward  |
| Mr. Gere      | Mr. Rexford  |               |

26

The bill from the Assembly, entitled "An act to incorporate the Green-Hill wharf company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Hubbard  | Mr. Rexford   |
| Mr. Armstrong | Mr. Mather   | Mr. Sanford   |
| Mr. Beardsley | Mr. Maynard  | Mr. Schenck   |
| Mr. Boughton  | Mr. McCarty  | Mr. Tallmadge |
| Mr. Bronson   | Mr. McLean   | Mr. Throop    |
| Mr. Conklin   | Mr. McMartin | Mr. Warren    |
| Mr. Deitz     | Mr. Oliver   | Mr. Wheeler   |
| Mr. Gere      | Mr. Porter   | Mr. Woodward  |

24

The bill from the Assembly, entitled "An act to amend an act, entitled 'An act to incorporate the village of Hamilton, in the county of Madison,' passed April 12, 1816," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Hubbard  | Mr. Schenck   |
| Mr. Armstrong | Mr. Maynard  | Mr. Sherman   |
| Mr. Beardsley | Mr. McCarty  | Mr. Tallmadge |
| Mr. Benton    | Mr. McLean   | Mr. Throop    |
| Mr. Boughton  | Mr. McMartin | Mr. Todd      |
| Mr. Bronson   | Mr. Oliver   | Mr. Warren    |
| Mr. Conklin   | Mr. Porter   | Mr. Wheeler   |
| Mr. Deitz     | Mr. Rexford  | Mr. Woodward  |
| Mr. Gere      |              |               |

25

## FOR THE NEGATIVE.

Mr. Mather

1

The bill from the Assembly, entitled "An act to incorporate the Hamburg and Hampton ferry company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Hubbard  | Mr. Sanford   |
| Mr. Armstrong | Mr. Mather   | Mr. Schenck   |
| Mr. Beardsley | Mr. Maynard  | Mr. Sherman   |
| Mr. Benton    | Mr. McCarty  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McLean   | Mr. Throop    |
| Mr. Bronson   | Mr. McMartin | Mr. Warren    |
| Mr. Conklin   | Mr. Oliver   | Mr. Wheeler   |
| Mr. Deitz     | Mr. Porter   | Mr. Woodward  |
| Mr. Gere      | Mr. Rexford  |               |

26

The bill from the Assembly, entitled "An act to authorize the erection of a new gaol in the county of Chautauque," was read the third time and passed.

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same, severally, without amendment.

The bill from the Assembly, entitled "An act to regulate auction criers in the village of Rochester," was read the third time, and the question on its final passage ordered to be laid on the table.

The bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the village of Auburn,' passed April, 1815," with the engrossed amendments," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

**FOR THE AFFIRMATIVE.**

|               |              |               |    |
|---------------|--------------|---------------|----|
| Mr. Allen     | Mr. Hubbard  | Mr. Rexford   |    |
| Mr. Armstrong | Mr. Mather   | Mr. Schenck   |    |
| Mr. Benton    | Mr. Maynard  | Mr. Sherman   |    |
| Mr. Boughton  | Mr. McCarty  | Mr. Tallmadge |    |
| Mr. Bronson   | Mr. McLean   | Mr. Todd      |    |
| Mr. Conklin   | Mr. McMartin | Mr. Warren    |    |
| Mr. Deitz     | Mr. Oliver   | Mr. Wheeler   |    |
| Mr. Gere      | Mr. Porter   | Mr. Woodward  | 24 |

The bill from the Assembly, entitled "An act to incorporate the New-Berlin hemp company," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

**FOR THE AFFIRMATIVE.**

|               |              |               |    |
|---------------|--------------|---------------|----|
| Mr. Allen     | Mr. Hubbard  | Mr. Rexford   |    |
| Mr. Armstrong | Mr. Mather   | Mr. Sanford   |    |
| Mr. Benton    | Mr. Maynard  | Mr. Schenck   |    |
| Mr. Boughton  | Mr. McCarty  | Mr. Sherman   |    |
| Mr. Bronson   | Mr. McLean   | Mr. Tallmadge |    |
| Mr. Conklin   | Mr. McMartin | Mr. Warren    |    |
| Mr. Deitz     | Mr. Oliver   | Mr. Wheeler   |    |
| Mr. Gere      | Mr. Porter   | Mr. Woodward  | 24 |

**FOR THE NEGATIVE.**

Mr. Todd

1

The bill from the Assembly, entitled "An act for the better security of mechanics and others erecting buildings in the city and county of New-York," with the engrossed amendments, was read the third time and passed.

*Ordered*, That the clerk deliver said several bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act further to amend the charter of the village of Lansingburgh," was read the third time and lost; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

## FOR THE AFFIRMATIVE.

|              |              |               |    |
|--------------|--------------|---------------|----|
| Mr. Allen    | Mr. Hubbard  | Mr. Rexford   |    |
| Mr. Benton   | Mr. Mather   | Mr. Schenck   |    |
| Mr. Boughton | Mr. Maynard  | Mr. Sherman   |    |
| Mr. Bronson  | Mr. McCarty  | Mr. Tallmadge |    |
| Mr. Conklin  | Mr. McLean   | Mr. Throop    |    |
| Mr. Deitz    | Mr. McMartin | Mr. Warren    |    |
| Mr. Gere     | Mr. Porter   | Mr. Woodward  | 21 |

## FOR THE NEGATIVE.

|               |          |             |   |
|---------------|----------|-------------|---|
| Mr. Armstrong | Mr. Todd | Mr. Wheeler |   |
| Mr. Oliver    |          |             | 4 |

Thereupon,

*Resolved*, That the bill be rejected.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

The bill from the Assembly, entitled "An act to authorise the trustees of the Rochester high school to raise two thousand five hundred dollars by tax," was read the third time and lost; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

## FOR THE NEGATIVE.

|               |             |              |    |
|---------------|-------------|--------------|----|
| Mr. Armstrong | Mr. McCarty | Mr. Throop   |    |
| Mr. Deitz     | Mr. Oliver  | Mr. Warren   |    |
| Mr. Hubbard   | Mr. Rexford | Mr. Wheeler  |    |
| Mr. Mather    | Mr. Sanford | Mr. Woodward |    |
| Mr. Maynard   | Mr. Schenck |              | 14 |

## FOR THE AFFIRMATIVE.

|               |             |               |    |
|---------------|-------------|---------------|----|
| Mr. Allen     | Mr. Bronson | Mr. McMartin  |    |
| Mr. Beardsley | Mr. Conklin | Mr. Porter    |    |
| Mr. Benton    | Mr. Gere    | Mr. Sherman   |    |
| Mr. Boughton  | Mr. McLean  | Mr. Tallmadge | 12 |

Thereupon,

*Resolved*, That the bill be rejected.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

On motion of Mr. Benton,

*Ordered*, That when the Senate adjourns, it will adjourn to meet again at 7 o'clock this afternoon.

Then the Senate adjourned until 7 o'clock this afternoon.

## 7 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act vesting in the United States of America jurisdiction over a certain piece of land in the town of Watervliet, in the county of Albany;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Mather, from the said committee, reported the same with an amendment; which report was agreed to by the Senate, and the amendment ordered to be engrossed, and the bill to a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act concerning the powers and duties of commissioners of deeds;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Armstrong, from the said committee, reported the same with an amendment.

Mr. President put the question on agreeing to said report, and it was decided in the negative.

Thereupon,

*Resolved*, That the bill be rejected.

*Ordered*, That the clerk deliver the said bill, and a copy of the said resolution, to the Assembly.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend an act, entitled 'An act concerning the election of justices of the peace,' passed May 4th, 1829;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to provide for the deficiencies in the revenue of the Oswego and the Cayuga and Seneca canals;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Wheeler, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act in relation to the appraisement of damages on the canals;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Todd, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act relative to the state-prisons;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Woodward, from the said committee, reported the same with amendments, which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend the eighty-eighth section of the fifth article of the second title of the fifteenth chapter of the first part of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from said committee, reported that the committee had disagreed to said bill, which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the bill be rejected.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend 'An act to appoint commissioners to lay out certain roads therein mentioned, in the county of Broome,' passed March 31, 1817;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Bronson, from the said committee, reported the same with amendments, which report was agreed to by the Senate, and the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorising a re-appraisement of certain lands in Oneida Castleton, and for other purposes," and the bill from the Assembly, entitled "An act extending the powers of the president, directors and company of the Albany and Schenectady turnpike company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Beardsley, from the said committee, reported the said bill, entitled "An act extending the powers of the president, directors and company of the Albany and Schenectady turnpike company," without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Beardsley also reported progress on said bill, entitled "An act authorising a re-appraisement of certain lands in Oneida Castleton, and for other purposes," and asked for leave to sit again.

*Ordered*, That said committee do not have leave to sit again.

Mr. Warren gave notice that he would to-morrow move to suspend the 22d rule of the Senate, for the purpose of moving a reconsideration of the vote of the Senate, on the final passage of the bill from the Assembly, entitled "An act further to amend the charter of the village of Lansingburgh."

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to improve the state road from the Orange turnpike to Nyack, in the county of Rockland;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Throop, from the said committee, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

*Ordered*, That the committee of the whole be discharged from the following bills from the Assembly, and that the same be severally ordered to a third reading, to wit:

"An act to confirm the incorporation of the first society of the Methodist Episcopal church in the town of Parma :"

"An act to incorporate the New-York mills fire company :"

"An act requiring the inspection of green hides and skins in the city of New-York :"

"An act to repeal an act, entitled 'An act to incorporate the Catskill Lancaster school society,' passed March 14, 1817, and for other purposes :"

"An act to incorporate the village of Liverpool :"

The bill from the Assembly entitled "An act vesting in the United States of America, jurisdiction over a certain piece of land in the town of Watervliet, in the county of Albany," with the engrossed amendment, was read the third time and passed.

The bill from the Assembly, entitled "An act relative to the state prisons," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly, entitled "An act to amend 'An act to appoint commissioners to lay out certain roads therein mentioned, in the county of Broome,' passed March 31, 1817," with the engrossed amendments, was read the third time and passed.

*Ordered*, That the clerk deliver said several bills to the Assembly, and inform them that the Senate have passed the same, severally, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act to provide for the deficiencies in the revenue of the Oswego and the Cayuga and Seneca canals," was read the third time and passed.

The bill from the Assembly, entitled "An act in relation to the appraisement of damages on the canals," was read the third time and passed.

The bill from the Assembly, entitled "An act to amend an act, entitled 'An act concerning the election of justices of the peace,' passed May 4, 1829," was read the third time and passed.

Mr. President put the question on the final passage of the bill from the Assembly, entitled "An act concerning town-meetings," and it was decided in the affirmative.

The bill from the Assembly, entitled "An act to improve the state road from the Orange turnpike to Nyack in the county of Rockland," was read the third time and passed.

The bill from Assembly, entitled "An act to incorporate the New-York mills fire company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

#### FOR THE AFFIRMATIVE.

Mr. Armstrong  
Mr. Beardsley  
Mr. Benton  
Mr. Boughton  
Mr. Bronson  
Mr. Conklin  
Mr. Deitz  
Mr. Gere

Mr. Mather  
Mr. Maynard  
Mr. McMartin  
Mr. Oliver  
Mr. Porter  
Mr. Rexford  
Mr. Sanford

Mr. Schenck  
Mr. Sherman  
Mr. Tallmadge  
Mr. Throop  
Mr. Todd  
Mr. Warren  
Mr. Woodward

The bill from the Assembly, entitled "An act to incorporate the village of Liverpool," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Armstrong | Mr. Mather   | Mr. Schenck   |
| Mr. Beardsley | Mr. Maynard  | Mr. Sherman   |
| Mr. Benton    | Mr. McMartin | Mr. Tallmadge |
| Mr. Boughton  | Mr. Oliver   | Mr. Throop    |
| Mr. Bronson   | Mr. Porter   | Mr. Todd      |
| Mr. Conklin   | Mr. Rexford  | Mr. Warren    |
| Mr. Deitz     | Mr. Sanford  | Mr. Woodward  |
| Mr. Gere      |              |               |

22

The bill from the Assembly, entitled "An act to repeal an act, entitled 'An act to incorporate the Catskill Lancaster school society,' passed March 14, 1817, and for other purposes," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

## FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Armstrong | Mr. Mather   | Mr. Schenck   |
| Mr. Beardsley | Mr. Maynard  | Mr. Sherman   |
| Mr. Benton    | Mr. McMartin | Mr. Tallmadge |
| Mr. Boughton  | Mr. Oliver   | Mr. Throop    |
| Mr. Bronson   | Mr. Porter   | Mr. Todd      |
| Mr. Conklin   | Mr. Rexford  | Mr. Warren    |
| Mr. Deitz     | Mr. Sanford  | Mr. Woodward  |
| Mr. Gere      |              |               |

23

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same, severally, without amendment.

The bill from the Assembly, entitled "An act requiring the inspection of green hides and skins in the city of New-York," with the engrossed amendment, was read the third time, and the question on its final passage ordered to be laid on the table.

Then the Senate adjourned until 9 o'clock to-morrow morning.

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**TUESDAY, 9 O'CLOCK, A. M.—APRIL 20, 1830.**

The Senate met pursuant to adjournment.

Mr. Todd, from the committee on finance, reported against the bill from the Assembly, entitled "An act to fix the compensation [SENATE JOURNAL.] X 2



of the under officers and servants of the two houses of the Legislature ;" which was committed to a committee of the whole.

Mr. Todd, from the same committee, on the petition of sundry inhabitants of the county of Delaware, praying for a grant of land for a road, reported against the same, which was agreed to by the Senate.

Mr. Hubbard, from the committee on claims, reported without amendment, the bill from the Assembly, entitled "An act for the relief of James McMahan ;" which was committed to a committee of the whole.

Mr. Benton, from the committee on the judiciary, on the memorial of Edmond C. Genet, reported the following resolution :

*Resolved*, That the petition of Edmond C. Genet, relative to the Manhattan company, in the city of New-York, be referred to the Attorney-General, with directions that he examine the matters contained in the said petition, and take such proceedings thereon, as he shall consider to be legal and proper.

Which was agreed to by the Senate.

Mr. Benton, from the same committee, reported, without amendment, two bills from the Assembly, of the following titles, to wit :

"An act to authorise the supervisor of the town of Holland, in the county of Erie, to collect certain monies from his predecessor in office :"

"An act to appoint a supreme court commissioner in the county of Yates :"

Which were committed to a committee of the whole.

A message from his honor the Lieutenant-Governor, delivered by his private secretary, was read, in the words following, to wit :

#### TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to incorporate the Orphan asylum society in the village of Utica :"

Also the bill entitled "An act relating to the public lands :"

Also the bill entitled "An act for the relief of Solomon Devendorf :"

Also the bill entitled "An act to incorporate the Canajoharie and Catskill rail-road company :"

E. T. THROOP.

*Albany, April 19, 1830.*

A copy of a resolution from the Assembly, was read, informing that they had concurred in the resolution of the Senate of yesterday, relative to the sale of the fortifications on Staten-Island.

Eight bills were received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended them accordingly, of the following titles, to wit :

"An act extending the jurisdiction of the mayor's court of the city of Albany :"

"An act to incorporate the Ontario savings bank, in the village of Canandaigua :"

"An act to amend the act, entitled 'An act to incorporate the village of Auburn,' passed April 18, 1825 :"

"An act for the better security of mechanics and others erecting buildings in the city and county of New-York :"

"An act to amend 'An act appointing commissioners to lay out certain roads therein mentioned, in the county of Broome,' passed March 31, 1817 :"

"An act vesting in the United States of America, jurisdiction over a certain piece of land in the town of Watervliet, in the county of Albany :"

"An act relative to the state-prisons :"

"An act to incorporate the New-Berlin hemp company :"

The said amended bills having been examined,

*Ordered*, That the clerk return the same to the Assembly.

Three bills were received from the Assembly, with a message that they had passed the same without amendment, of the following titles, to wit :

"An act to provide for the erection of a new stone jail in the county of Chenango :"

"An act to appoint a commissioner under the acts for the diversion of the surplus waters of the Black river, and to extend the time for levying and collecting the tax for that object :"

"An act to vest certain privileges in the freeholders of the village of Monticello, in the county of Sullivan :"

Which were presented to his honor the Lieutenant-Governor by the clerk.

A copy of a resolution from the Assembly, was read, in the words following, to wit :

*Resolved*, (if the Senate concur,) That the 10th joint rule of both houses be dispensed with, so far as that rule may affect the bill entitled "An act to authorise an investigation of the accounts of the commissioners appointed to drain the Cayuga marshes and swamp lands in the valley of the Seneca river, and for other purposes."

*Resolved*, That the Senate do concur with the Assembly in their said resolution.

*Ordered*, That the clerk deliver a copy of the preceding resolution to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to abolish imprisonment for debt ;" which was read the first time, and ordered to a second reading.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the payment of certain officers and expenses of government ;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

The bill entitled "An act for the relief of Gilbert A. Gamage," was received from the Assembly, with a message that they had passed the same, with the amendments therewith delivered.

The said amended bill having been read,

*Resolved*, That the Senate do concur with the Assembly in their amendment to the said bill.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

The bill entitled "An act relating to conditions in certain grants by the state;" was received from the Assembly, with a message that they had passed the same, with the amendment therewith delivered.

The said amendment having been read :

*Resolved*, That the Senate do concur with the Assembly in their amendment to the said bill.

*Ordered*, That the clerk deliver the said bill, and a copy of said resolution, to the Assembly.

The bill entitled "An act to amend certain provisions of the Revised Statutes, and in addition thereto," was received from the Assembly, with the amendments therewith delivered.

The said amendments having been read,

*Resolved*, That the Senate do concur with the Assembly in their amendments to said bill.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

Mr. Sherman, from the select committee on the bill from the Assembly, entitled "An act to amend the third article of the second title of the fourteenth chapter of the first part of the Revised Statutes;" reported the same without amendment, which was ordered to a third reading.

*Ordered*, That the committee of the whole be discharged from the further consideration of the following bills from the Assembly, to wit :

"An act for the settlement of the account of Jabez Gould, deceased :"

"An act to incorporate the Mariners' benevolent society, in the city of Troy :"

"An act to incorporate the trustees of the Minetta Infirmary :"

"An act to amend and consolidate into one act, 'An act to vest certain powers in the freeholders and inhabitants of the village of Watertown,' passed April 7, 1820, and acts amendatory thereto :"

"An act to incorporate the Brooklyn African Woolman benevolent society :"

And that the same be severally ordered to a third reading.

On motion of Mr. Todd,

*Resolved*, That there be allowed and paid to Benjamin Vernor, by the Treasurer, on the warrant of the Comptroller, one dollar and fifty cents for each days attendance by him on the court for the trial of impeachments and the correction of errors, to be certified by the president of the Senate.

On motion of Mr. Benton,

*Ordered*, That the committee on the judiciary be discharged from the further consideration of the petition of Henry Post and others, and the petition of John Ridley; and that the same be laid on the table.

Mr. Warren, pursuant to previous notice yesterday given, made a motion that the 22d rule of the Senate be suspended, for the purpose of re-considering the vote of the Senate on the final passage

of the bill from the Assembly, entitled "An act further to amend the charter of the village of Lansingburgh."

Mr. President put the question on agreeing to said motion, and it was decided in the negative; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

**FOR THE NEGATIVE.**

|               |             |             |
|---------------|-------------|-------------|
| Mr. Armstrong | Mr. Deitz   | Mr. Porter  |
| Mr. Beardsley | Mr. Hubbard | Mr. Schenck |
| Mr. Benton    | Mr. Maynard | Mr. Throop  |
| Mr. Boughton  | Mr. McCarty | Mr. Todd    |
| Mr. Bronson   | Mr. Oliver  |             |

14

**FOR THE AFFIRMATIVE.**

|             |              |               |
|-------------|--------------|---------------|
| Mr. Allen   | Mr. McMartin | Mr. Tallmadge |
| Mr. Conklin | Mr. Rexford  | Mr. Warren    |
| Mr. Gere    | Mr. Sanford  | Mr. Wheeler   |
| Mr. Mather  | Mr. Sherman  | Mr. Woodward  |
| Mr. McLean  |              |               |

13

Mr. President put the question on the final passage of the bill from the Assembly, entitled "An act requiring the inspection of green hides and skins in the city of New-York," with the engrossed amendment, and it was decided in the affirmative.

Mr. President put the question on the final passage of the bill from the Assembly, entitled "An act to regulate auction criers in the village of Rochester," with the engrossed amendment, and it was decided in the affirmative.

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same, severally, with the amendments therewith delivered.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the payment of certain officers and expenses of government;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Hubbard, from the said committee, reported the same with amendments.

Thereupon,

The 24th section of said report was again read, in the words following, to wit:

"§ There shall be paid by the Treasurer, on the warrant of the Comptroller, to such of the late revisers as have been engaged in the business, the sum of two hundred dollars, for their services under the joint resolution of the Senate and Assembly, of the 23d of February last, relative to the Revised Statutes."

Mr. Todd made a motion to amend said report by striking out said section.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit :

**FOR THE NEGATIVE.**

|               |              |               |
|---------------|--------------|---------------|
| Mr. Armstrong | Mr. Hubbard  | Mr. Sanford   |
| Mr. Beardsley | Mr. McCarty  | Mr. Sherman   |
| Mr. Bronson   | Mr. McLean   | Mr. Tallmadge |
| Mr. Deitz     | Mr. McMartin | Mr. Throop    |
| Mr. Gere      | Mr. Porter   |               |

14

**FOR THE AFFIRMATIVE.**

|              |             |             |
|--------------|-------------|-------------|
| Mr. Allen    | Mr. Mather  | Mr. Schenck |
| Mr. Benton   | Mr. Maynard | Mr. Todd    |
| Mr. Boughton | Mr. Oliver  | Mr. Warren  |
| Mr. Conklin  | Mr. Rexford | Mr. Wheeler |

12

Thereupon,

The Senate agreed to the report of the committee of the whole, and the amendments were ordered to be engrossed, and the bill to a third reading.

Thereupon,

The amendments being engrossed,

The said bill from the Assembly with the engrossed amendments, was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

A communication from John P. Cushman, was received and read, in the words following, to wit :"

*Troy, April 20, 1830.*

Sir—

I have been informed of the resolutions of the Senate and Assembly, conferring upon me the appointment of Regent of the University of this state, and beg you to communicate to the house over which you preside, my acceptance of the office, and my respectful acknowledgments for this mark of their regard and confidence.

I have the honor to be,

Your obedient servant,

JOHN P. CUSHMAN.

The Hon. WILLIAM M. OLIVER,

*President of the Senate.*

Three bills were received from the Assembly, with a message that they had concurred in the amendments of the Senate to the same, and had amended them accordingly, of the following titles, to wit :

"An act requiring the inspection of green hides and skins in the city of New-York :"

"An act to regulate auction criers in the village of Rochester :"

"An act to provide for the payment of certain officers and expenses of government :"

The said amended bills having been examined :

*Ordered*, That the clerk return the same to the Assembly.

The bill entitled "An act amending the several acts relating to the Schaghticoke point bridge company," passed March 23d, 1799, June 9th, 1812 and April 17th 1815, was received from the Assembly, with a message that they had passed the same with the amendments therewith delivered.

The said amendments having been read,

Mr. President put the question on concurring in the same, and it was decided in the affirmative ; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit :

#### FOR THE AFFIRMATIVE.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Hubbard  | Mr. Sanford   |
| Mr. Armstrong | Mr. Mather   | Mr. Schenck   |
| Mr. Beardsley | Mr. Maynard  | Mr. Sherman   |
| Mr. Benton    | Mr. McCarty  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McLean   | Mr. Throop    |
| Mr. Bronson   | Mr. McMartin | Mr. Todd      |
| Mr. Conklin   | Mr. Oliver   | Mr. Warren    |
| Mr. Deitz     | Mr. Porter   | Mr. Woodward  |
| Mr. Gere      | Mr. Rexford  |               |

26

Thereupon,

*Resolved*, That the Senate do concur with the Assembly in their amendments to said bill.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

The bill entitled "An act to appoint commissioners to lay out, alter and improve the road from Lansingburgh, in the county of Rensselaer, to Bennington, in the state of Vermont," was received from the Assembly, with a message that they had passed the same with the amendments therewith delivered.

The said amendments having been read,

*Resolved*, That the Senate do concur with the Assembly in their amendments to said bill.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution, to the Assembly.

Three bills were returned from the Assembly, of the following titles, to wit :

"An act for the relief of Gilbert A. Gamage :"

"An act relating to conditions in certain grants by the state :"

"An act to amend certain provisions of the Revised Statutes, and in addition thereto :"

Which were presented to his honor the Lieutenant-Governor by the clerk.

The bill from the Assembly, entitled "An act to confirm the incorporation of the first society of the Methodist Episcopal church

in the town of Parma," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |              |              |
|---------------|--------------|--------------|
| Mr. Allen     | Mr. Hubbard  | Mr. Rexford  |
| Mr. Armstrong | Mr. Mather   | Mr. Sanford  |
| Mr. Beardsley | Mr. Maynard  | Mr. Schenck  |
| Mr. Benton    | Mr. McCarty  | Mr. Sherman  |
| Mr. Boughton  | Mr. McLean   | Mr. Throop   |
| Mr. Bronson   | Mr. McMartin | Mr. Todd     |
| Mr. Conklin   | Mr. Oliver   | Mr. Warren   |
| Mr. Deitz     | Mr. Porter   | Mr. Woodward |
| Mr. Gere      |              |              |

25

The bill from the Assembly, entitled "An act extending the powers of the president, directors and company of the Albany and Schenectady turnpike company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Hubbard  | Mr. Sanford   |
| Mr. Armstrong | Mr. Mather   | Mr. Schenck   |
| Mr. Beardsley | Mr. Maynard  | Mr. Sherman   |
| Mr. Benton    | Mr. McCarty  | Mr. Tallmadge |
| Mr. Boughton  | Mr. McLean   | Mr. Throop    |
| Mr. Bronson   | Mr. McMartin | Mr. Todd      |
| Mr. Conklin   | Mr. Oliver   | Mr. Warren    |
| Mr. Deitz     | Mr. Porter   | Mr. Woodward  |
| Mr. Gere      | Mr. Rexford  |               |

26

The bill from the Assembly, entitled "An act to incorporate the Mariners' benevolent society, in the city of Troy," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

**FOR THE AFFIRMATIVE.**

|               |              |               |
|---------------|--------------|---------------|
| Mr. Allen     | Mr. Hubbard  | Mr. Sanford   |
| Mr. Armstrong | Mr. Mather   | Mr. Schenck   |
| Mr. Beardsley | Mr. Maynard  | Mr. Sherman   |
| Mr. Boughton  | Mr. McLean   | Mr. Tallmadge |
| Mr. Bronson   | Mr. McMartin | Mr. Todd      |
| Mr. Conklin   | Mr. Oliver   | Mr. Warren    |
| Mr. Deitz,    | Mr. Porter   | Mr. Woodward  |
| Mr. Gere      | Mr. Rexford  |               |

23

The bill from the Assembly, entitled "An act to amend the third article of the second title of the fourteenth chapter of the first part of the Revised Statutes," was read the third time and passed.

*Ordered*, That the clerk deliver said bills to the Assembly, and inform them that the Senate have passed the same, severally, without amendment.

The bill from Assembly, entitled "An act to incorporate the Brooklyn African Woolman benevolent society," was read the third time and lost; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Allen     | Mr. Mather  | Mr. Schenck   |
| Mr. Armstrong | Mr. McCarty | Mr. Sherman   |
| Mr. Beardsley | Mr. McLean  | Mr. Tallmadge |
| Mr. Boughton  | Mr. Oliver  | Mr. Warren    |
| Mr. Conklin   | Mr. Rexford | Mr. Woodward  |
| Mr. Gere      |             |               |

16

FOR THE NEGATIVE.

|             |              |             |
|-------------|--------------|-------------|
| Mr. Hubbard | Mr. McMartin | Mr. Sanford |
| Mr. Maynard | Mr. Porter   | Mr. Todd    |

6

Thereupon,

*Resolved*, That the bill be rejected.

*Ordered*, That the clerk deliver said bill, and a copy of said resolution to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to authorise an investigation of the accounts of the commissioners appointed to drain the Cayuga marshes and swamp lands in the valley of the Seneca river;" which was read the first time, and by unanimous consent was also read a second and third times and passed.

*Ordered*, That the clerk deliver said bill to the Assembly, and inform them that the Senate have passed the same, without amendment.

Two bills were received from the Assembly, with a message that they had rejected the same, of the following titles, to wit:

"An act to amend an act, entitled 'An act to incorporate the Florida bridge company,' passed January 30, 1828:"

"An act to incorporate the Oneida lake canal company:"

Two bills were returned from the Assembly, of the following titles, to wit:

"An act amending the several acts relating to the Schaghticoke point bridge company," passed March 23d, 1799, June 9th, 1812 and April 17, 1815:"

"An act to appoint commissioners to lay out, alter and improve the road from Lansingburgh, in the county of Rensselaer, to Bennington, in the state of Vermont:"

[SENATE JOURNAL.]

Y 2



Which were presented to his honor the Lieutenant-Governor by the clerk.

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act for the settlement of the account of Jabez Gould, deceased," and that the same be ordered to a third reading.

Thereupon,

The said engrossed bill from the Assembly, was read the third time and passed.

*Ordered*, That the clerk deliver said bill to the Assembly; and inform them that the Senate have passed the same, without amendment.

The Senate then took up the consideration, of the following resolution :

*Resolved*, (if the Senate concur,) That there be appointed a committee of three persons, to consist of one member of the Senate and two members of the Assembly, who shall examine the accounts and vouchers of the Treasurer, pursuant to the provisions of title fourth, chapter eighth of the first part of the Revised Statutes; and in case of such concurrence, that Mr. Mann and Mr. Gosman be of said committee on the part of this house.

Thereupon,

The Senate proceeded to ballot for a member of said committee on the part of the Senate, and the ballots being taken and counted, it appeared that Mr. Benton was duly appointed.

Thereupon,

*Resolved*, That the Senate do concur with the Assembly, in their said resolution, and that Mr. Benton be of said committee on the part of the Senate.

*Ordered*, That the clerk deliver a copy of the preceding resolution to the Assembly.

Three messages from his honor the Lieutenant-Governor, delivered by his private secretary, were read, in the words following, to wit :

#### TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act relating to conditions in certain grants by the state :"

Also the bill entitled "An act for the relief of Gilbert A. Gamage :"

Also the bill entitled "An act to amend certain provisions of the Revised Statutes, and in addition thereto :"

E. T. THROOP.

*Albany, April 20, 1830*

#### TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act amending the several acts relating to the Schaghticoke point bridge company" passed March 23d, 1799, June 9th, 1812 and April 17th 1815.

Also the bill entitled "An act to appoint commissioners to lay out, alter and improve the road from Lansingburgh, in the county of Rensselaer, to Bennington, in the state of Vermont:"

E. T. THROOP.

*Albany, April 20, 1830.*

## TO THE SENATE.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to provide for the erection of a new stone jail in the county of Chenango:"

Also the bill entitled "An act to appoint a commissioner under the acts for the diversion of the surplus waters of the Black River, and to extend the time for levying and collecting the tax for that object:"

Also the bill entitled "An act to vest certain privileges in the freeholders and inhabitants of the village of Monticello, in the county of Sullivan:"

E. T. THROOP.

*Albany, April 20, 1830.*

*Ordered,* That Mr. Hubbard and Mr. Deitz, wait upon the Assembly and inform them that the Senate are about to adjourn.

*Ordered,* That Mr. Todd and Mr. Rexford, wait upon his honor the Lieutenant-Governor, and inform him that unless his honor has some further communication to lay before the Legislature, the Senate will, with the concurrence of the Assembly, immediately adjourn.

Mr. Hubbard reported, that Mr. Deitz and himself had waited upon the Assembly, and delivered the message of the Senate.

On motion of Mr. McLean,

*Resolved, unanimously,* That the thanks of the Senate be presented to the Hon. W. M. Oliver, president thereof, for his faithful, impartial and dignified discharge of the duties of that station.

To which the President, rising in his chair, made the following reply:

GENTLEMEN—This kind expression of your approbation and confidence, has excited in my bosom the warmest emotions of gratitude. That I have been able, during this interesting session, so to discharge my duties as to meet your approbation, is owing to your generous forbearance, gentlemanly deportment, and the kind assistance of your able clerk and deputy. In presiding over your deliberations, it has been my intention, on all occasions, to act with the strictest impartiality; and if I have erred, I trust you will do me the justice to believe that my errors have arisen from misconception alone.

Gentlemen—Permit me to congratulate you that your arduous labours are about to close. You will return to your homes, blest with the consciousness that you have faithfully discharged your laborious duties; that it has been your only aim to advance the interests and promote the general prosperity of the state. This consciousness of a faithful performance of the duties which have devolved upon you, and the approbation of your constituents, will be to you the richest of rewards.

Not only the prosperity, but the liberty of this young and rising republic, depend upon the virtue of the people, and the intelligence and integrity of our legislators. It therefore becomes an indispensable duty in us, when we return to our homes, to inculcate liberality, patriotism and the moral virtues. In a republic, no citizen can be exempted from the performance of all the duties which the welfare of the state may require. We have one common interest, and its promotion requires our united exertions.

Gentlemen, I should do injustice to myself if I should attempt to suppress my feelings on this occasion ; associated as we have been, our separation is like the separation of a family. You will carry with you to your families my sincere and heartfelt prayers, for your health and prosperity ; that your lives of usefulness may be long continued ; that the Supreme Ruler of the universe may shower upon you his richest blessings in life, and when your earthly career shall close, that he may receive you in the regions of never ending felicity.

Mr. Todd reported, that Mr. Rexford and himself had waited upon his honor the Lieutenant-Governor, and delivered the message of the Senate, when his honor was pleased to say, that he had no further communication to make to the Legislature.

A message was received from the Assembly, delivered by Mr. Gosman and Mr. Kirby, informing that the Assembly were about to adjourn.

Thereupon,

Mr. President adjourned the Senate, to meet again according to law.

JOHN F. BACON, *Clerk.*

# INDEX

## TO THE

# JOURNAL OF THE SENATE,

## 1830.

ALPHABETICALLY ARRANGED.

### A.

|   | <i>Page.</i> |
|---|--------------|
| Amsterdam bridge company, report of Comptroller relative to,<br>(Doc. 25,) 44                                   | 44           |
| Agents, <i>see</i> Factors and agents.  |              |
| Actual settlement, condition of, reserved by the state, &c. bill<br>to relinquish, 55, 310, 322, 332            | 332          |
| Albany, petition from, relative to the establishment of district<br>schools, 53, 181, (Doc. 323,) 274, 287, 292 | 292          |
| petition to supply the city with water, ..... 114, 131,<br>(Doc. 202,) 150, 161, 163                            | 163          |
| petition from, relative to a female penitentiary, ..... 144   | 144          |
| water-works, remonstrance from, ..... 150   | 150          |
| petition for the establishment of a hospital, &c. in, ... 210   | 210          |
| remonstrance against extending the jurisdiction of the<br>mayor's court, 295, 326                               | 326          |
| Associate church, petition for certain privileges, ... 61, 69, 73, 279  | 279          |
| Aqueduct, petition for, over the Mohawk river at Amsterdam, 69,<br>72   | 72           |
| Appeal, made from the decision of the President, ..... 122  | 122          |
| Alden, D. H. pet. for compensation for injury from the Cham-<br>plain canal, 150                                | 150          |
| Aliens, bill to enable them to hold real estate, ..... 162  | 162          |
| Akerly, Samuel, statement relative to the deaf and dumb, .... 178   | 178          |
| Ancram, <i>see</i> Towns.   |              |
| Ashes, <i>see</i> Pot and pearl.  |              |
| Astor's claim to land in Putnam county, proceedings, 212, (Doc.<br>347)   | 347          |
| Alden, D. H. petition relative to a claim for damages, 266, 267, 273  | 273          |
| American colonization society, <i>see</i> Colonization.   |              |
| Auctioneers in New-York, bill relative to the appointment of, 329,<br>328                                       | 328          |

## ATTORNEY-GENERAL,

Report of, on the resolution relative to raising the rates of toll  
on the canal, &c. 212, (Doc. 344)

## AYES AND NOES.

|   |          |
|---|----------|
| On the bill relative to printing insolvent notices in N. York,    | 50, 56   |
| the court of common pleas in do                                   | 53       |
| for the relief of Charlotte Selby,.....                           | 64       |
| On ordering the report of the Special Attorney printed,.....      | 66       |
| On the bill to divide the town of Romulus,.....                   | 78       |
| Marcellus, .....  | 112, 113 |
| On an appeal from the decision of the President,.....             | 122      |
| On the bill relative to the village of Brooklyn,.....             | 157      |
| to map and atlas of the state,.....                               | 160, 164 |
| to the village of Norwich, .....                                  | 170      |
| to Cox's patent,.....   | 173      |
| to the militia, .....   | 175      |
| to the courts of common pleas, &c. in On-                         |          |
| ondaga county,  | 179      |
| to the state prison at Mount-Pleasant, ....                       | 186      |
| to the practice of physic and surgery,                            | 216, 221 |
| On making certain bank bills the special order of the day, ....   | 217      |
| On the bill for removing the clerk's office to Geneva,.....       | 218      |
| On establishing a supreme court clerk's office at Geneva,....     | 221      |
| On the bill to erect the town of Hamptonburgh, in Orange co.,     | 226,     |
|   | 232, 236 |
| On the resolution for an afternoon session,.....                  | 229, 274 |
| On the bill to raise a half mill tax,.....                        | 238      |
| for the relief of Daniel Carswell, .....                          | 244, 260 |
| On a resolution for erecting a monument to Gen. Herkimer, ..      | 250      |
| On the bill relative to the Fort-Miller dam, .....                | 276      |
| to exempt revolutionary officers and soldiers from                |          |
| imprisonment for debt,  | 286      |
| relative to the deaf and dumb,.....                               | 311      |
| On a resolution relative to the right of officers and soldiers of |          |
| the army to vote at elections,                                    | 314      |
| On the bill concerning bank notes,.....                           | 315      |
| relative to the inspection of pot and pearl ashes in              |          |
| Albany,   | 350      |
| On a motion to suspend a rule of the Senate,.....                 | 381      |
| On the supply bill, .....   | 381      |
| <i>On the final passage of two-third bills.</i>                   |          |
| On the bill to incorporate the Buffalo and Hamburg turnpike       |          |
| company,  | 44       |
| Rochester Athenæum,.....  | 94       |
| New-York law institute,.....                                      | 115      |
| New-York Union African society                                    | 128      |
| Clinton Hall association,.....                                    | 129      |
| Manhattan gas-light company, ..                                   | 130      |
| Buffalo insurance company, ....                                   | 135      |

|                                |   |          |
|--------------------------------|---|----------|
| On the bill to incorporate the | Binghamton bank, . . . . .                          | 157      |
|                                | Putnam county bank, . . . . .                       | 142      |
|                                | Canajoharie and Catskill rail-road<br>company, 147, | 342      |
|                                | Jefferson cotton mills, . . . . .                   | 154      |
|                                | New-Hartford fire company, . . . .                  | 155      |
|                                | N. York life insurance and trust<br>company,        | 156      |
|                                | a second company to supply Alba-<br>ny with water,  | 163      |
|                                | proprietors of the Long wharf at<br>Sagg-Harbor,    | 189      |
|                                | Long-Island Sound harbor co. . . .                  | 193      |
|                                | Manhattan college, . . . . .                        | 264      |
|                                | Saratoga county bank, . . . . .                     | 208      |
|                                | Hudson river bank, . . . . .                        | 209      |
|                                | Schenectady fire insurance co. . .                  | 225      |
|                                | Ontario high school, . . . . .                      | 231      |
|                                | Mechanics' bank, Buffalo, . . . .                   | 251      |
|                                | Livingston county bank, . . . . .                   | 251      |
|                                | Bank of Poughkeepsie, . . . . .                     | 252      |
|                                | Butchers' and Drivers' bank, . . .                  | 252      |
|                                | Bank of Newburgh, . . . . .                         | 252      |
|                                | Bank of Ithaca, . . . . .                           | 253      |
|                                | Bank of Auburn, . . . . .                           | 253      |
|                                | Farmers' and Mechanics' bank of<br>Catskill,        | 262      |
|                                | Otsego county bank, . . . . .                       | 263      |
|                                | Bank of Oneida, . . . . .                           | 263      |
|                                | Sidney and Unadilla bridge co. . .                  | 268      |
|                                | Rensselaer glass manufacturing<br>company,          | 269      |
|                                | a fire company at Fishkill, . . . .                 | 270, 279 |
|                                | Orphan asylum society in Utica,                     | 275, 342 |
|                                | Hudson and Delaware rail-road<br>company,           | 285      |
|                                | Phoenix bridge company, . . . . .                   | 287      |
|                                | Woodbourne and Ellenville turn-<br>pike company,    | 292      |
|                                | Ellenville and Shawangunk turn-<br>pike company,    | 293      |
|                                | Bank of Schenectady, . . . . .                      | 302      |
|                                | Mechanics' and Traders' . . . . .                   | 303      |
|                                | Montgomery county bank, . . . .                     | 303      |
|                                | Onondaga do . . . . .                               | 304      |
|                                | Hudson and Delaware rail-road<br>company,           | 316      |
|                                | Utica cotton printing company, . .                  | 318      |
|                                | Rome and New-London turnpike<br>company,            | 319      |
|                                | Charlotte turnpike company, . . .                   | 319      |

|  |     |
|--|-----|
| On the bill to incorporate the Orangetown Point steam-boat co.                                 | 319 |
| Oneida lake canal company,....   | 333 |
| Walden fire company,.....  | 334 |
| village of Sherburne,.....   | 334 |
| a fire company in the village of<br>Lima,  | 336 |
| Greenwich bank,.....   | 348 |
| village of Perry,.....   | 348 |
| trustees of St. Mary's church,..   | 350 |
| Franklin institute at Rochester,.  | 364 |
| Bristol turnpike company,.....   | 365 |
| Ontario savings bank,.....   | 366 |
| village of Mayville,.....  | 368 |
| Schaghticoke fire company,....   | 368 |
| Delhi and Meredith turnpike co.  | 369 |
| Canterbury fire company,.....  | 369 |
| fire company in the village of<br>White Creek,   | 369 |
| village of Amsterdam,.....   | 370 |
| Green-Hill wharf company, ....   | 371 |
| Hamburgh and Hampton ferry<br>company,   | 371 |
| New-Berlin hemp company,....   | 372 |
| New-York Mills fire company,..   | 376 |
| village of Liverpool,.....   | 377 |
| Mariner's benevolent society in<br>Troy,   | 284 |
| Brooklyn African Woolman soci-<br>ety,   | 385 |
| On the bill concerning the debt due the state from the Dela-<br>ware and Hudson canal company, | 55  |
| extending the time for completing the Nassau turn-<br>pike,                                    | 63  |
| extending the partnership of the Hudson tow-boat<br>company,                                   | 93  |
| to change the name of the Buffalo high school,....   | 94  |
| concerning the Watervliet turnpike company, ....   | 97  |
| for the relief of Frederick Stanley, .....   | 98  |
| to amend the Albany and Bethlehem turnpike co..  | 115 |
| declaring the New-Hamburgh turnpike a public<br>highway,                                       | 119 |
| for the relief of the children of David Smith, ....  | 123 |
| bank of savings in N. York, ...  | 142 |
| Brooklyn and Jamaica turnpike<br>company,  | 143 |
| Alida Vrooman,.....  | 148 |
| Charlotte Sewell,.....   | 151 |
| Solomon Devendorff, .....  | 184 |
| Robert Ferguson,.....  | 238 |
| Charlotte Selby,.....  | 268 |
| grantees of Arthur Cazenove,..   | 278 |
| Nathan Underwood,.....   | 316 |

|  |     |
|--|-----|
| On the bill for the relief of Elizabeth Paine and others, . . . .                          | 334 |
| Ezra Thorp, . . . . .  | 265 |
| Israel Dean and John De Peyster, . . . . .   | 365 |
| relative to the Dutchess turnpike company, . . . . .                                       | 260 |
| Great Island turnpike company, . . . . .   | 278 |
| Cairo bridge company, . . . . .  | 279 |
| incorporation of religious societies, . . . . .  | 280 |
| Scaghticoke Point bridge company, . . . . .  | 286 |
| Lansingburgh dry dock, . . . . .   | 293 |
| association in N. York for the relief<br>of respectable females, . . . . .                 | 363 |
| Troy and Sand-Lake turnpike, . . . . .   | 366 |
| village of Hoosick Falls, . . . . .  | 368 |
| to extend the charter of the Rensselaer bridge co..  | 155 |
| time for filling up the stock of the<br>National bank, . . . . .                           | 230 |
| do          of the Whitehall bank, . . . . .   | 231 |
| do          of the Merchants' Ex-<br>change bank, . . . . .                                | 264 |
| relative to the village of Waterford, . . . . .  | 156 |
| Brooklyn, . . . . .  | 160 |
| Lockport, . . . . .  | 163 |
| Windham and Durham turnpike, . . . . .   | 167 |
| Catskill Lancaster school society, . . . . .   | 377 |
| New-Windsor and Cornwall, . . . . .  | 167 |
| village of Norwich, . . . . .  | 173 |
| to empower the commissioners of the land-office to<br>grant certain lands, . . . . .       | 185 |
| relative to the occupants of the Cowasselon & New-<br>Stockbridge tract of land, . . . . . | 188 |
| village of Utica, . . . . .  | 203 |
| Albany and Schenectady turnpike, . . . . .   | 384 |
| Rochester high school, . . . . .   | 373 |
| village of Kingston, . . . . .   | 237 |
| to amend the charter of New-York, . . . . .  | 230 |
| do          the Mechanics' and Merchants'<br>bank of Troy, . . . . .                       | 254 |
| Lockport bank, . . . . .   | 254 |
| Bank of Monroe, . . . . .  | 254 |
| Mohawk bank, . . . . .   | 255 |
| Bank of Geneva, . . . . .  | 255 |
| Mechanics' & Farmers' bank<br>of Albany, . . . . .   | 255 |
| Bank of Chenango, . . . . .  | 256 |
| Ontario bank, . . . . .  | 256 |
| Bank of Troy, . . . . .  | 256 |
| N. York State bank, . . . . .  | 256 |
| Ogdensburgh bank, . . . . .  | 257 |
| Jefferson county bank, . . . . .   | 257 |
| Central bank, . . . . .  | 258 |
| Bank of Utica, . . . . .   | 258 |
| Farmers' bank, . . . . .   | 258 |



|  |          |
|--|----------|
| On the bill to amend the charter of the Catskill bank, .....   | 256      |
| Bank of Genesee, ....  | 258      |
| Canal bank of Albany,  | 258      |
| Bank of Albany, .....  | 259      |
| relative to the village of Hamilton, .....                     | 371      |
| Auburn, .....  | 372      |
| Lansingburgh, .....  | 273      |
| authorising an additional number of firemen in Canandaigua,    | 293      |
| to enable Francis Atkinson and others to hold real estate,     | 293      |
| relative to the village of Monticello, .....                   | 298      |
| Groton turnpike company, .....                                 | 318      |
| Poughkeepsie and New-Paltz ferry,                              | 320      |
| Mohawk turnpike bridge company, ..                             | 320      |
| Whitehall and Fairhaven turnpike company,                      | 335      |
| Lansingburgh turnpike company, ...                             | 349      |
| Catskill & Ithaca rail-road company,                           | 349      |
| to extend for a limited period the Merchants' bank of N. York, | 299, 344 |
| do do Bank of New-York, .....                                  | 299      |
| Phenix bank, .....   | 300      |
| Tradesmen's bank, ....   | 300, 343 |
| Bank of America, .....   | 301      |
| City bank of N. York, .....                                    | 301      |
| Union bank in do .....   | 302      |
| New-York in the city of New-York,                              | 302, 343 |

## B.

|   |                             |
|---|-----------------------------|
| Brundage, Benjamin S. petition relative to his bond and mortgage,           | 33, (Doc. 27,) 45           |
| Bank notes, petition to prevent the circulation of, less than five dollars, | 234, 290, 305, 316, 326     |
| petition of the National, in New-York, for time to fill up stock, &c.       | 34, 183, 210, 230, 347      |
| Merchants' Exchange, petition to fill up stock, ..                          | 67, 202, 222, 264           |
| Merchants', bill to extend the charter,                                     | 71, 214, 218, 294, 299, 344 |
| City, of N. York, bill to extend the charter of, ..                         | 74, 215, 222, 294, 301      |
| of America, do do   | 74, 214, 222, 294, 301      |
| Union, do do  | 74, 215, 222, 294, 301      |
| of New-York, do do  | 74, 214, 221, 294, 299, 343 |
| Phoenix, do do  | 74, 214, 221, 294, 300      |
| Tradesmen's, do do  | 74, 214, 221, 294, 300, 343 |
| petition for an act to incorporate the Commercial, in N. York,              | 99                          |
| of savings in N. York, pet. for an extension of powers, ..                  | 117, 130, 137               |

|  |                                |
|--|--------------------------------|
| Bank, report of, .....   | 117, (Doc. 185)                |
| petition for, in Binghamton, .....                                     | 124, 127, 132, 137             |
| petition for the Putnam county, .....                                  | 104, 132, 142                  |
| Whiteball, pet. for an extension of time to fill up stock, 146,        | 195, 222, 230                  |
| Hudson river, bill to incorporate, 150, 187, (Doc. 292,) 206,          | 209                            |
| Saratoga county, do  | 150, 205, 208                  |
| Mechanics' of Buffalo, do  | 153, 202, (Doc. 338,) 222,     |
|  | 251                            |
| Livingston county, do  | 153, 195, (Doc. 307,) 222,     |
|  | 251                            |
| Seventh ward, petition for, in New-York, .....                         | 195                            |
| of Poughkeepsie, bill to incorporate, 224, 234, (Doc. 383,) 244, 251   |                                |
| Farmers' and Mechanics' of Catskill, bill to incorporate, 224,         | 241, (Doc. 386,) 262, 263      |
| Otsego county, bill to incorporate, ... 224, 241, (Doc. 384,) 244, 263 |                                |
| Butchers' and Drovers' do  | 224, 241, (Doc. 385,) 245, 252 |
| of Schenectady, do   | 247, 294, 302                  |
| Mechanics' and Traders' do   | 272, 278, 295, 303             |
| Montgomery county, do  | 272, 283, 295, 303             |
| Onondaga county, do  | 272, 283, 295, 303             |
| Greenwich, in N. York, do  | 336, 348                       |
| of Schenectady, bill to amend the charter, .....                       | 228                            |
| of Geneva, do  | ... 228, 235, 245              |
| of Monroe, do  | ... 228, 235, 245              |
| Mohawk, do   | ... 228, 235, 245              |
| Merchants' and Mechanics', in Troy, do                                 | ... 228, 335, 245              |
| Lockport, do   | ... 228, 234, 245              |
| of Auburn, do  | 228, 234, 245, 253             |
| of Ithaca, do  | 228, 234, 245, 253             |
| of Newburgh, do  | 228, 234, 245, 253             |
| of Oneida, do  | 228, 247, 261, 263             |
| committee, report of, on petition to incorporate the Buf-              |                                |
| falo insurance company, 106, (Doc. 161)                                |                                |
| petition of the New-York Savings, .....                                | 130, (Doc. 203)                |
| to incorporate the Saratoga county, .....                              | 183                            |
| Buffalo, .....   | 202                            |
| Farmers' & Mechanics' Cats-  |                                |
| kill, 241  |                                |
| Otsego county, .....   | 241                            |
| Butchers' and Drovers' .....   | 241                            |
| Broome county, petition from, to loan money to build court-            |                                |
| house, &c. 38, 40, 47, 49  |                                |
| Buffalo and Hamburg turnpike company, petition for, 30, 37, 41,        | 44, 57                         |
| Bethune, Joanna, petition for relief relative to a mill site, .....    | 53                             |
| Boats, <i>see</i> Packet boats.  |                                |
| Bounty lands, <i>see</i> Lands.  |                                |

- Bragg, Peleg, pet. for compensation for losses on the Cham-plain canal, 74, 91
- Benoit, Louis, an alien, petition to hold real estate, . . . . . 78
- Black river canal, *see* Canal.
- Buffalo insurance company, *see* Insurance company.
- Bridge, Phoenix company, petition to incorporate the, 78, 114, 283, 287
- Scaghticoke Point company, petition to amend their charter, 78, 110, 187, 282, 286  
remonstrance against, . . . . . 110
- petition for, over the Erie canal at Utica, . . . . . 143, 178
- Rensselaer company, bill to extend charter, . . . . . 150, 153
- Florida company, petition to amend their charter, 182, 205, 207, 215, 304, 316
- petition for, across the Susquehannah river, 187, 201, 240, 268

***BILLS introduced into the Senate, and not passed by the Senate.***

- An act to incorporate the Lake Ontario steam-boat company.
- for the regulation and preservation of the state pier at Sag Harbor.
- to amend an act entitled "An act to erect the town of Hamptonburgh, in the county of Orange."
- to amend title 7th, chapter 14th, of part first of the Revised Statutes.
- relative to the proof of wills of personal property, and the probate of them.
- authorising the erection of a state prison for female convicts.
- to regulate the passage of boats through the locks on the canals belonging to this state.
- to incorporate the Poesten-kill turnpike company.
- concerning the literature fund:
- to loan the credit of the state to the Long-Island Sound harbor company.
- to authorise the trustees of the Schenando cotton manufactory, to sell their real estate.
- to incorporate a society in the city of Albany, for religious and moral instruction.
- directing the appointment of an additional inspector of flour and meal in the city of New-York, and regulating the inspection thereof.
- for the relief of Joseph Cole and James Carver.
- to incorporate the Manhattan college.
- to amend an act entitled "An act to provide for the incorporation of religious societies," passed April 5, 1813.

***BILLS passed by the Senate, and sent to the Assembly for concurrence, and not passed.***

- An act to amend an act entitled "An act to incorporate the Windham and Durham turnpike road company."
- to extend the time for filling up the stock of the Bank of Whitehall.

- An act to incorporate the president, directors and company of the Binghamton bank.
- to incorporate the president, directors and company of the Putnam county bank.
- authorising John R. Drake and James Pumpelly to erect a dam in the Susquehannah river.
- to provide for the deficiency in the revenue of the general fund.
- to reduce the parades and rendezvous of the militia, and to amend the provisions of chapter ten, part first of the Revised Statutes, so far as to conform them to this act.
- to incorporate a second company to supply the city of Albany with water.
- concerning the Watervliet turnpike company.
- to appoint commissioners to lay out a road from the village of Marcellus to the village of Syracuse, in the county of Onondaga.
- to annex a part of the town of Onondaga, in the county of Onondaga, to the town of Camillus, in said county.
- relative to Cox's patent in the county of Tioga.
- concerning the appraisement of damages on canals and the compensation allowed to canal appraisers.
- directing the mode in which the expense for furnishing certain standard weights and measures are to be defrayed.
- relative to the courts of common pleas and general sessions in and for the county of Onondaga.
- authorising the appointment of a supreme court commissioner to reside at the village of Ballston Spa or Saratoga Springs, in the county of Saratoga.
- to incorporate the Oneida lake canal company.
- to amend an act entitled "An act to incorporate the Florida bridge company."

***BILLS from the Assembly not finally acted upon by the Senate.***

- An act to incorporate the trustees of the Minetta infirmary.
- to amend an act to vest certain powers in the inhabitants of the village of Watertown.
- to incorporate the Brooklyn African Woolman benevolent society.
- for the relief of James McMahan.
- to authorise the supervisor of the town of Holland, Erie county, to collect certain monies from his predecessor.
- to appoint a supreme court commissioner for Yates county.
- to fix the compensation of the under officers and servants of the two houses of the Legislature.
- to amend an act to vest certain privileges in the inhabitants of Rome.
- to amend an act to incorporate the village of Salina, Onondaga county.
- to incorporate the Jackson marine insurance company in the city of New-York.

An act to prevent the importation of foreign poor into the counties of this state bordering on Lake Champlain.

requiring the supervisors of the county of Steuben, to levy a tax for improving navigable streams.

to incorporate the Infant school in New-York.

to authorise the supervisors of the several counties of this state to insure public buildings.

to compel the attendance of witnesses before a board of supervisors.

to authorise the re-appraisement of certain lands in Oneida Castleton.

to abolish imprisonment for debt.

to incorporate the Syracuse and Pulaski turnpike company.

to continue in force an act to incorporate the Butchers' benevolent society.

to divide the town of Hinsdale, in Cattaraugus county.

to appoint commissioners to lay out a road from the village of Mendon Four-corners, in the county of Monroe, to the Buffalo road in the town of Le Roy, in Genesee county.

to amend an act for the relief of the owners of lots in the South Bay tract in Washington county.

to amend an act to incorporate the Dover and Union-Vale turnpike road company.

for the relief of Ann Hamilton.

to incorporate the Williamson fire company.

further to amend the act regulating the practice of physic and surgery.

for the relief of the female association of the city of New-York.

to authorise Erastus Bailey to use the waters of Genesee river for hydraulic purposes.

concerning sheriffs fees in certain cases.

to change the name of Henry Hammil.

relative to the public offices in the city of New-York.

to extend the power of constables in certain cases.

for the relief of Henry Otterson, an alien.

Abraham D. Van Derheyden.

Isaac J. Cole.

concerning the major-general of artillery in the city of New-York.

to extend the powers of the board of supervisors of the several counties in this state.

to incorporate the Rochester canal and rail-road company.

to alter the map of the city of New-York, in relation to Stuyvesant-street.

to amend an act to incorporate the New-York and Boston steam-boat company.

to change the name of the third Methodist society in the city of New-York.

to incorporate the Long-Island manufacturing company.

## C.

- Chaplains of the Senate appointed, ..... 29
- Clerk of the Senate directed to furnish the members with news-  
papers, 29
- Clerk's office in Queens county, bill relative to, .... 85, 108
- Clerks of supreme court, bill relative to duties of, 32, 45, 47, 49,  
52, 55
- Clerk's office of supreme court, bill to remove to Geneva, 200, 221
- Committee on Governor's message appointed, ..... 31
- standing, appointed, ..... 33
- of conference appointed, ..... 136, 141
- select, appointed to examine and report on the sub-  
ject of certain charges made by S. M. Hopkins  
against the agent of the state prison at Sing-Sing, 327
- appointed to examine the Treasurer's accounts, .. 380
- Chenango county, petition of supervisors to erect a stone gaol, 32
- Canal, petition for, from the Erie to the Allegany river, .... 34
- Oneida lake to the Erie canal, 95, 201, 333
- boats, *see* Packet boats.
- Black river, route, petition that canal com'rs complete  
the survey of, 88, 95, 158
- appraisers, bill relative to, ..... 107, 120
- tolls, proceedings on the subject of higher rates of, 187, 193,  
200, 212, (Doc. 344,) 314, 332
- route, from Rochester to the Allegany river, bill for the  
survey of, 267, 289, 294, 304
- report of committee on the petition of the Neversink na-  
vigation company, 310, (Doc. 358)
- commissioners directed to report on the subject of high-  
er rates of duties or tolls, &c. 128, 132
- their report on the subject, .. 187, (Doc. 291)
- report of, rel. to the erection of a bridge  
over the Erie canal at Utica, 178, (Doc. 274)
- report on petition of the Florida bridge  
company, 207, (Doc. 340)
- fund, report of commissioners of, of the amount of da-  
mages awarded to the owners of land in the val-  
ley of Wood creek, ..... 219, (Doc. 360)
- board, report relative to packet boats, ..... 82, (Doc. 98)
- report relative to expenditures by the superin-  
tendants employed on the canals, 153, (Doc. 243)
- Chitteningo literary institution, *see* John B. Yates.
- Court of common pleas in N. York, bill relative to, ..... 52, 59
- Common schools in Albany, pet. for the establishment of, .... 53
- Cox's patent of land, proceedings relative to, ..... 70, 158, 170
- Cole, John, and James Carver, pet. for compensation for attend-  
ing the Astor trials, 88, 92, 106, 116
- Canajoharie and Catskill rail-road, *see* Rail-road.
- Conference, committee of, appointed, ..... 136, 141
- College of physicians and surgeons, remonstrance of, .. 149, (Doc.  
241)

- Capitol, bill concerning,..... 176, 189, 193  
 Claims against the U. States, *see* United States.  
 Charter of New-York, *see* New-York.  
 Colonization society, memorial of, for aid,... 198, (Doc. 327) 242  
 Cushman, John P. appointed a Regent of the University,..... 232  
     accepts the appointment,..... 382  
 Carswell, Daniel, bill for the relief of,..... 243  
 Comptroller, report of, on pet. of George M'Clure,.. 38, Doc. 19)  
     Delaware & Hudson canal co. 40, (Doc.  
         21,) 127, (Doc. 198)  
     do 196, (Doc. 317)  
     report of, rel. to the Amsterdam bridge co. 44, (Doc.  
         25)  
     report of, on the pet. of Allen Hills and Thomas  
         Spencer, 53, (Doc. 42)  
     report of, of amount of monies paid to the special  
         counsel, &c. 166, (Doc. 254)  
     report of, on the petition of Gilbert D. Dillon,.. 174,  
         (Doc. 305)  
 Commissioners of the land-office,  
     report of, on bill for the relief of Justus Burt,.. 93, (Doc. 156)  
     of the quantity of land belonging to each fund of  
         this state, 183, (Doc. 279)  
     relative to lot No. 14, Oneida creek tract, 215, (Doc.  
         349)  
     certain lands mortgaged by J. V. N.  
         Yates, 224, (Doc. 368)  
     on the petition of Samuel Stevenson,..... 272  
     relative to the repay't of monies paid for taxes,.. 331,  
         (Doc. 413)  
 Claims, report of committee on, on John Sayres, pet. .. 41, (Doc.  
     23)  
     on pet. Orson Smith, and others, 51  
         Margaret Wool, ..... 69  
         David Goodwin, ..... 95  
         Solomon Devendorff,... 168  
         Gilbert A. Gamage,.... 247  
         Nathan Underwood,... 271,  
             (Doc. 395)

## D.

- Delaware and Hudson canal company, petition to exempt their  
     agents, &c. from militia duty, 32  
     do relative to the sale of real estate, 34,  
         (Doc. 21,) 40, 45, 49, 55  
     do relative to the transfer of certain  
         stocks, 104, 127, (Doc. 198,) 265,  
             286  
 Dams, petition of J. E. Hinman and others, for, across Oneida  
     river at Oak Orchard reef,. 33, 53, 99, (Doc. 137,) 110,  
         148, 151

- Dams**, petition of John R. Drake and J. Pumpelly for the erection of, in the Susquehannah river, 82, 87, 92  
 remonstrance against, ..... 84
- Deaf and dumb**, pet. of the N. York institution for aid,... 48, 127,  
 (Doc. 192,) 269, 276, 311
- pet. of the Central asylum for aid,... 53, 72, 311
- annual report of do ..... 53, (Doc. 56)
- eleventh annual report of the N. York, institution, 89, (Doc. 131)
- statement of Samuel Akerly, relative to,..... 178
- Damages on canals**, bills relative to,..... 107, 120
- Deer**, petition of inhabitants of Suffolk county relative to hunting, 110, 133, 176, 267, (Doc. 394,) 289, 292
- Devendorff**, Solomon, petition for remuneration for lands sold by the state, 158, 168, (Doc. 256,) 182, 184
- Dillon**, Gilbert D. pet. for relief,..... 171, 174
- Denmark**, petition from town of, relative to a road, ..... 201
- Delaware county**, petition for land to establish a road in, 210, 378

## E.

- Editors and proprietors in N. York**, remonstrance of, against bill relative to printing insolvent notices, 40
- Eye infirmary**, *see* New-York.
- Ellicottsville**, petition from town of, to expend certain monies, 206, 212, 286

## F.

- First Presbyterian church in Poughkeepsie**, petition to mortgage real estate, 36, 37
- Wolcott, for an alteration of their charter, 59, 309
- Finance committee**, report of, on the pet. of settlers of Stock-bridge lands, 41
- on the pet. of Benjamin S. Brundage, 45, (Doc. 27)
- on the pet. of George M'Clure,... 48, (Doc. 33)
- on the pet. of the settlers on the Cowasselon and New-Stock-bridge lands,.... 106, (Doc. 169)
- on the pet. of Allen Hills and T. Spencer, 105, (Doc. 162)
- on the subject of a state tax,... 134, (Doc. 205)
- on bill to fix the salary of the state librarian, 284, (Doc. 401)
- Factors and agents**, memorial relative to, (Doc. 46,) 52, (Doc. 55,) 65, 84, 126, 128, 130
- rem. from Albany against the bill on the subject, 84, (Doc. 106)
- Flour inspector of Albany**, annual report of,..... 65, (Doc. 64)
- [SENATE JOURNAL.] A 3



- Flour, proceedings relative to the alteration of the law for the inspection of, &c... 194, 204, (Doc. 342,) 223, 246, 266, 270, 280, 287
- Funeral solemnities of Hon. Moses Hayden, ..... 102, 141
- First Congregational church in Eden, petition to sell land,.... 127
- Ferry, petition for, across the Hudson river at Phillipstown,.. 144, 165, 171, 280
- Female penitentiary, *see* State prison.
- Florida bridge company, *see* Bridges.
- Fire company, petition to incorporate, in Monticello, 210, 215, 288
- Fortifications on Staten-Island, proceedings in relation to the sale of, 358, (Doc. 434,) 378

## G.

## GOVERNOR, ACTING.

- Annual message to Legislature, ..... 5
- Message of, relative to state prisons,..... 140, (Doc. 220) to the trial of one of the causes on the Astor claim, 212, (Doc. 347) transmitting certain resolutions of Ohio, Delaware and Vermont, 224, (Doc. 366) from, approving of bills,. 46, 62, 71, 85, 91, 96, 100, 125, 192, 207, 267, 277, 328, 359, 360, 361, 363, 378, 386, 387
- Gifford, John, petition of, for compensation for revolutionary services, 52, 104, 289
- Gardner, Addison, judge 8th circuit, requested to report the testimony given on the trial of Elibu Mather, &c. 70 report,..... 121, (Doc. 186)
- Godwin, David, petition of, for bounty lands,.... 90, 95, 246, 261
- Grouchy, Count, an alien, petition to hold real estate,..... 131
- Genet, E. C. petition for proceedings by the Attorney-General against the Manhattan company, 198, 205, (Doc. 336,) 378
- Garage, Gilbert A. petition for payment of a claim against the state, 227, 247, 289, 292

## H.

- Hubbard, Thomas H. petition to repair supreme clerk's office at Utica, 30, 36, 38
- Hudson and Delaware canal company, *see* Delaware and Hudson.
- Hinman, J. E. and others, *see* Dams.
- Hops, report of R. Barnes, inspector in N. York,.... (Doc. 18,) 36
- Hills, Allen, and Thomas Spencer, petition for relief in relation to moneys paid the state, 46, (Doc. 42,) 53, 82, 105, 125
- Hopkins, Samuel M. communication from, relative to the state prison, 65, (Doc. 118,) 86 memorial of, relative to his accounts with the state, 162 report of committee, ..... 327
- Hamilton academy, petition to alter distribution of literature fund, 74

- Hudson tow-boat company, petition to extend charter,. 87,  
 Hayden, Moses, a senator, death of, and proceedings,... 102, 114  
 Hardenburgh, Harman N. a member of the Assembly, death of, 194  
 Hamptonburgh, *see* Towns.  
 House, John C. and Conrath, petition for compensation for re-  
     volutionary services, 227, 261  
 Herkimer, Gen. resolution for a monument to,..... 250  
 Hunting deer in Suffolk county, *see* Decr.

## I.

- Insolvent and legal notices, bill relative to printing, in New-  
     York, 31, 33, 38, 45, 49, 50, 54, 55  
     report of judiciary com. thereon, (Doc.  
     17,) 38  
     remonstrance of N. York editors  
     against, 40  
 Insurance company, petition for the Buffalo fire and marine, 90, 105,  
     135  
     N. York La Fayette, petition for a grant of  
     land, 170  
     bill to incorporate the Schenectady,. 191, 223,  
     225  
     Mutual, in Schoharie county, petition for, 266  
 Imprisonment for debt, bill to abolish,..... 379

## J.

- Judiciary committee, report on pet. of First Presbyterian church  
     in Poughkeepsie, 37  
     the bill relative to printing insol-  
     vent notices, 38, (Doc. 17)  
     pet. relative to factors and agents, 65  
     (Doc. 55)  
     pet. of Mary Seymour,. 74, (Doc. 80)  
     rel. to public lands in Oswego vil-  
     lage, 74, (Doc. 78)  
     rel. to Cox's pat. of land,. 158, (Doc.  
     245).  
     rel. to exempting revolutionary of-  
     ficers and soldiers from debt, 241,  
     (Doc. 388)  
 Jewel, Gustavus, and others, petition for compensation for the  
     destruction of a dam on the Oneida river, 74, 99, (Doc. 137)  
 Jefferson cotton mills, bill to incorporate, ..... 134, 150, 151, 154  
 Joint rule of the two houses, resolution to suspend, ..... 361

## K.

- Keyser, Abraham, appointed Treasurer of the State, ..... 97  
     accepts the appointment,..... 106  
 Kingston, pet. for an alteration of the charter of the village of, 187,  
     196, 233, 296  
     remonstrance against, ..... 204  
 Keeler, Charles A. and others, pet. for a religious incorpora-  
     tion, 271, 328

Flour

177-16  
\$6-16

## L.

- Governor, Acting.  
 s of Stockbridge, for relief, . . . . . 30, 41  
 owasselon & Stockbridge, for a remis-  
 sion of interest, 43, 105, (Doc. 163,) 116,  
 168, 184, 188, 315  
 e village of Oswego, pet. relative to, 60, 74, 77,  
 79  
 e to the condition of actual settlement of, 55, 310,  
 322, 332  
 patent of, proceedings on the subject of, . . . 70, 158  
 boundry, Surveyor-General directed to report, and report  
 of, the unappropriated, &c. 72, 76, (Doc. 82)  
 proceedings relative to the sale of all, belonging to the  
 state, 118, 183  
 pet. for grant of, to establish a road in Delaware county, 210  
 report relative to No. 14, Oneida creek tract, &c. . . . . 215  
 Legislative manual, clerk to furnish members with, . . . . . 30  
 Lot of Mr. Sherman and Mr. Conklin, term of service decided, 35  
 Lien law, to give mechanics a lien on buildings erected in N.  
 York, 76, 83, 140, (Doc. 231,) 179, 172, 368, 372  
 remonstrance against, . . . . . 99  
 Lansingburgh dry dock co. pet. to amend their charter, . . 78, 235,  
 288  
 Literature fund, petitions, &c. to equalize the distribution of, 80,  
 191, 195, 233, 278  
 report of the Regents relative to, . . . . . 228  
 and canal funds, bill relative to, . . . 175, 228, 240, 243  
 Lake Ontario steam-boat co. pet. for the incorporation of, . . 88, 139  
 Long-Island Sound harbor co. pet. to be incorporated, &c. 90, 122,  
 168, (Doc. 265,) 187, 193, 211  
 Long wharf, *see* Sagg-Harbor.  
 Library, *see* State.  
 Lockport, act to incorporate village of, . . . . . 157  
 Loans of money by the state, resolutions relative to, . . . 273, 298

## M.

- Messages of Acting Governor, *see* Governor, Acting.  
 May, Chester, pet. for relief in relation to certain purchase mo-  
 ney, 30  
 McClure, George, pet. relative to certain mortgages, 32, (Doc. 19,) 38, (Doc. 33,) 48, 58, 68  
 Masters in chancery, bill relative to, . . . . . 51, 56, 58  
 M'Lean, John C. pet. for relief for lands sold by mistake, . . 59, 72,  
 (Doc. 77,) 75, 81, 83, 89  
 Mallory, Ogden, pet. for compensation for certain losses, . . . 65  
 Morgan, William, report of the special attorney relative to the  
 abduction of, 65, 66  
 proceedings in relation to the subject, 66, 67, 70,  
 121, 277  
 Merchants' Exchange bank N. York, pet. for time to fill up stock, 67

Mechanics and others, bill relative to, *see* Lien.

Military bounty lands, *see* Lands.

Militia, bill to reduce the parades of, &c. .... 136, 165, 173, 174  
report of the committee on, .... 136, (Doc. 206)

Marcellus, *see* Towns.

Manhattan college, bill to incorporate, .... 111, 185, 264

Map and atlas of the state, bill relative to, 118, 148, 152, 159, 164

Manhattan company, pet. of E. C. Genet against, .... 198, 205

Medical school, pet. for the establishment of, in Albany, .... 210

## N.

Newspapers directed to be furnished the members, .... 29

Notices in N. York, *see* Insolvent and legal notices.

Nassau turnpike co. pet. of, for an extension of time, ... 48, 57, 60

New York deaf and dumb institution, pet. for aid, .... 48  
memorial of common council, and amendments pro-

posed to their charter, 79

bill to amend the charter of, 196, 199, (Doc. 322,) 209,  
230

bill relative to proceedings in criminal cases, &c. 99, 105

Eye infirmary, pet. for aid, .... 116, (Doc. 184)

bank for savings, pet. for an extension of powers, .. 117  
annual report of, .... 117

Life insurance and trust co. bill to incorporate, 140, 156

La Fayette insurance co. pet. for relief, .... 171

North-Hempstead, pet. from, to sell certain lands, .. 65, 76, 77, 79,  
86

New-Hamburgh turnpike co. *see* Turnpike.

New-Windsor and Cornwall turnpike co. *see* Turnpike.

Neversink navigation co. pet. of, for aid, .... 201, 211, 219

## O.

Oliver, Wm. M. appointed President of the Senate, pro tem. . 4

Oswego, public lands in village of, *see* Lands.

Owego, pet. of village of, to sell their school lot, .... 133, 140, 152

Onondaga, *see* Towns.

county, pet. from, to hold courts at the new court-  
house, 140, 172, 175, 262, 276

pet. of court of common pleas, to alter the  
terms of the court, 146, 171, 175, 178, 182

Otsego county, pet. from inhabitants of, for a survey of the Sus-  
quehanna river, 88, 89, 95

Oneida county medical society, memorial of, against the repeal  
of the law in relation to the practice of physic, 166

Ontario high school, pet. for the incorporation of, .... 182, 195

Orphan Asylum society in Utica, pet. for the incorporation of, 204,  
207, 270, 275, 342

Officers and soldiers of the revolution, *see* Revolutionary.

## P.

- President pro tem, *see* Oliver, Wm. M.  
     reply to a vote of thanks, ..... 357  
 Porter, T. H. takes his seat, ..... 34  
 Poughkeepsie, *see* First Presbyterian church of.  
 Prison for female convicts, *see* State prison.  
 Prisons, *see* State prisons.  
 Packet boats, pet. to alter the law relative to, .. 68, 82, 117, (Doc.  
     183,) 139, 145  
     remonstrance against, ..... 139, 143, 144  
 Phares, Andrew, pet. for compensation for a lot of land, . 133, 134,  
     144, 146  
 Physicians and surgeons, *see* College of.  
 Physic and surgery, pet. and bill to regulate the practice of, .. 172,  
     198, 216, 220  
 Pot and pearl ashes, bill and pet. relative to the inspection of,  
     in Albany, 178, 198, 261, 267, 290, 337  
 Palmyra high school, pet. of, for a lot of land, ..... 195  
 Post, Henry, and others, pet. relative to justices' powers in the  
     11th ward, N. York, 201  
 Porter, Peter B. resignation of the office of Regent, ..... 219

## Q.

- Queens county, pet. for the erection of a fire-proof clerk's of-  
     fice in, 191, 309

## R.

- Red Book, or Legislative manual, ordered to be furnished, ... 30  
 Revised Statutes, directed to be furnished the Senate, ..... 40  
     state prisons, 43, 44  
 Reports, *see* Judiciary committee, Claims, Finance, Division of  
     Counties and Towns, different Standing committees, and  
     public officers.  
 Roads and bridges, report of committee on pet. of Nassau turn-  
     pike co. 57  
     New-Hamburgh co. 110  
 Rutgers medical faculty, pet. for an act of incorporation, 61, (Doc.  
     74, 75,) 111  
     memorial of, rel. to Manhattan col-  
     lege, 18, (Doc. 297)  
 Rail-road, pet. for, from Catskill to Canajoharie, ... 80, 114, (Doc.  
     180,) 124, 131, 136, 147, 342  
     Newburgh to the Delaware river, 201, 211,  
     280, 287  
 Ridley, John, pet. to legalize the sale of certain land, ..... 90  
 Revisers of the laws, directed to report an act to carry into ef-  
     fect the Revised Statutes, &c. 107, 122, 132, 136  
     report of, and bill, ..... 285, (Doc. 404)  
 Regents of the University, report of, relative to the distribution  
     of the literature fund, 139, (Doc. 218,) 276, (Doc. 400)

|  |               |
|--|---------------|
| Regents, resignation of P. B. Porter, .....  | 219           |
| report of, on the subject of the literature fund, canal fund, &c. 228, (Doc. 371)  |               |
| two, appointed, .....  | 232           |
| Road, from Sherburne to Utica, pet. for commissioners to lay out, 162, 166, (Doc. 253,) 175                              |               |
| from Marcellus to Syracuse, pet. for do. 201, 202, 265, 268  |               |
| pet. to appoint com'rs to survey a road in Rensselaer co. to Vermont, 234, 266, 274, 304, 316                            |               |
| Rudo, Elias, pet. for remuneration for land, .....   | 195, 223, 268 |
| Revolutionary officers and soldiers, pet. to exempt from imprisonment for debt in certain cases, 219, 227, 341, 266, 280 |               |
| Revenue of the general fund, <i>see</i> Tax.   |               |
| Rules of the Senate and Assembly, <i>see</i> Joint rules,  |               |
| Rule of the Senate, motion to suspend the 22d, .....   | 380           |

### RESOLUTIONS OF THE SENATE.

|   |        |
|---|--------|
| Appointment of chaplains, .....   | 29     |
| To furnish members with newspapers, .....   | 29     |
| with the Red Book, or Legislative manual, 30  |        |
| That J. C. Spencer, the special counsel on the subject of the abduction of Wm. Morgan, report certain testimony given on the trial of Hiram Mather, .....                       | 67, 70 |
| That Addison Gardner, the judge of the 8th circuit, report the testimony given on the trial of Hiram Mather, 70   |        |
| That the Regents of the University report the money distributed belonging to the literature fund, &c. 73  |        |
| That the committee on finance report on the subject of a state tax, &c. 96, 100   |        |
| Relative to the death of the hon. Moses Hayden, .....   | 102    |
| Directing the committee on the judiciary to inquire and report on the subject of receipts taken by sheriffs and constables, for property levied upon by execution, &c. &c. .... | 107    |
| Requiring the Comptroller to make certain endorsements on E. Hotchkiss' bonds, 105, 116   |        |
| Appointing a committee to report on the expediency of offering for sale all the lands belonging to the state, 118   |        |
| Directing the committee on the judiciary to report what alterations are necessary on the subject of mortgages on personal property, .....                                       | 119    |
| Directing the canal commissioners to report on the subject of higher rates of duties or tolls, &c. 128, 132   |        |
| the payment of the funeral expenses of hon. Moses Hayden, 141   |        |
| canal board to report a statement of the expenditures by superintendents on the canals, &c. 142   |        |
| commissioners of the land-office to report the quantity of land sold the last five years, belonging to each fund of the state, .....  | 145    |
| Comptroller to report the amount paid to the special counsel, &c. 145   |        |

|   |          |
|---|----------|
| That the regents report their opinion on the subject of the distribution of the literature fund,                                    | 191      |
| That the Attorney-General report his opinion as to the constitutionality of imposing higher rates of toll, &c.                      | 200      |
| Relative to the state pier at Sagg Harbor,.....   | 206      |
| a deficiency in the revenue of the general fund of the state,   | 228      |
| the right of officers and soldiers of the army of the U. States, to vote at elections,  | 297, 314 |
| Directing the Attorney-General to examine the matters contained in the memorial of E. C. Genet, against the Manhattan company,..... | 378      |
| For paying Benjamin Vernor for attending the court of errors,   | 380      |
| Of a vote of thanks to the President of the Senate,.....  | 387      |

### RESOLUTIONS CONCURRENT.

|  |                    |
|--|--------------------|
| For the Secretary of State to furnish the Senate the Revised Statutes,                                 | 35, 40             |
| state prisons with do. & 10 copies of reports rel. to the prisons,                                     | 40, 42, 44         |
| Directing the suspension of the sale of certain lands for taxes,.                                      | 36, 39             |
| printing of twenty-seven copies of documents,  | 76, 79, 82         |
| For the choice of Treasurer,.....  | 83                 |
| For the Revisers of the laws to report an act to carry into effect the Revised Statutes, &c.           | 107, 122, 132, 136 |
| Appointing a committee of conference, .....  | 136                |
| On the death of the hon. Moses Hayden, .....   | 102                |
| hon. Herman M. Hardenburgh, .....  | 194                |
| Relative to the claims of the state against the U. States,..   | 196, 213           |
| to prosecuting a bond, on a loan to the Neversink navigation company,                                  | 211, 219           |
| to the erection of a monument to the memory of Gen. Herkimer,  | 229, 250           |
| to the American colonization society,.....   | 242, 275           |
| to loaning money to individuals by the state,...   | 274, 298           |
| Directing the canal board to suspend the exaction of increased tolls on the canals,                    | 314, 332, 341      |
| Suspending the collection of interest due from purchasers of the Cowasselon and New-Stockbridge lands, | 315                |
| For opening a negotiation with the general government, for the sale of the Narrows, &c.                | 358                |
| For the appointment of a committee to examine the Treasurer's accounts,                                | 361, 386           |
| For suspending the 10th joint rule of the two houses,....  | 361, 362           |

## S.

- Seymour, Mary, pet. for divorce,..... 32, 74, (Doc. 80)  
 Standing committees, *see* Committees.  
 Sayre, Jehn, pet. for relief,..... 34, (Doc. 23,) 41  
 Sherman, Mr. and Mr. Conklin, decide term of service by lot, 35  
 Senators, decide term of service by lot,..... 35  
 Supreme court clerk's office, *see* Clerk's office.  
 Sherwin, Joshua, pet. to purchase a lot of land, 37, 65, (Doc. 58,) 71  
 Smith, Orson, and others, pet. for bounty lands, 41, (Doc. 43,) 51, 71, 72, 76, 80, 122, 125  
 State prisons, annual report of the inspectors at Auburn, 48, (Doc. 38)  
     communication of S. M. Hopkins, on subject of Sing-Sing prison 65, 86  
     report of commissioners to superintend the building of, at Mount-Pleasant, 30, (Doc. 8)  
     supplementary report of do 93, (Doc. 136)  
     bill for the erection of, for female convicts,.... 140, (Doc. 238,) 174, 240  
     bill relative to the appointment of inspectors of, 185  
     com'tee appointed to investigate charges against agent of, at Sing-Sing, 327, (Doc. 327)  
 Sailors' Snug harbor, annual report of the trustees, 49, (Doc. 81)  
 Schools, *see* Common schools.  
 Special counsel, report of, relative to the abduction of Wm. Morgan, 65, (Doc. 67,) 66, 277  
     resolution that he report certain testimony, .. 67  
     report of monies paid to, &c. .... 166  
 Speaker of the Assembly, pro tem, message announcing the appointment of, 70  
 Smith, Samuel, pet. of, to have his title to certain land confirmed, 75  
 Spencer, Thomas, *see* Hills, Allen.  
 Steam-boat company, *see* Lake Ontario.  
 Susquehannah and Chemung rivers, pet. from Otsego county, for the survey of, 88, 89, 95  
 State tax, *see* Tax.  
 Suffolk county, pet. from relative to hunting deer, 110, 133, 177, 267  
 State library, annual report of trustees of,....., 118, (Doc. 190)  
     pier at Sagg-Harbor, bill relative to, ..... 288  
 Schenectady cotton manufacturing co. pet. to sell their real estate, 124, 178  
 Standard weights and measures, *see* Weights.  
 Sodus, petition from, to raise money to repair roads, &c. 139, 165, 171  
 Sagg-Harbor, petition of the owners of the long-wharf, to be incorporated, 140, 171, 186  
 Superintendent of common schools, *see* Secretary of state.



- Sackett's-Harbor, pet. of commissioners to assess tax on village  
of, &c. for an extension of time for making the assessment,  
&c. 158, 162  
remonstrance against, ..... 165  
Sherburne, road from, to Utica, *see* Road.  
Selby, Charlotte, bill for the relief of, ..... 203, 265  
Soldiers and officers of the revolution, *see* Revolutionary.  
Stephenson, Samuel, pet. relative to escheated land, .... 234, 260  
Stebbins, Charles, and J. D. Ledyard, pet. to confirm their title  
to certain land, 240, 241, 275  
Salina, remonstrance against an alteration of their charter, .... 339

#### SURVEYOR-GENERAL.

- Report of, on the pet. of Joshua Sherwin, ..... 65, (Doc. 58)  
John C. M'Lean, ..... 72, (Doc. 77)  
in relation to military bounty lands, ..... 76, (Doc. 82)  
on the bill for the relief of F. Stanley, ... 79, (Doc. 115)  
pet. of Andrew Phares, ..... 144, (Doc. 219)

#### SECRETARY OF STATE.

- Report on the subject of weights and measures, .. 122, (Doc. 188)  
on the memorial of the Central Asylum for deaf and  
dumb, 144, (Doc. 235)

#### T.

- Turnpike road, pet. for, from Buffalo to Hamburg, 30, (Doc. 16,) 37, 41, 44  
from Troy to Pittstown, ..... 135, 239  
company, Nassau, pet. of, for an extension of time, .. 48, 57, 60, 91  
Watervliet, pet. to amend their charter, .. 53, 67, 73, 96  
New-Hamburg, pet. to abandon their road, 104, 110, 116, 119  
Windham and Durham, pet. to abandon part  
of their road, 144, 154, 159, 164  
remonstrance against, ..... 146  
New-Windsor and Cornwall, pet. to alter  
route of, 146, 158, 164  
Great-Island, pet. of, for aid, .... 195, 270, 278  
pet. for, in Ulster county, .. 198, 204, 223, 288  
Sullivan and Ulster, .. 204, 223, 288  
Troy and Sand-Lake, proceedings rel. to, .. 326  
Towns, pet. for the division of Onondaga and Camillus, 62, 84, 99, 108  
bill for the division of Romulus, ..... 75, 76, 77  
Marcellus, .. 81, 83, 86, 91, 105, 110, 112, 124, 125, 134  
Angelica and Selo, ..... 104  
pet. for the division of Turin, ..... 174, 181, 190, 197, 200  
Milford, Otsego and Huntsville, 176, 183, 181, 197

|  |  |
|--|--|
| Town of Ancram, bill to divide, .....  | 179, 181, 199, 203                     |
| Hamptonburgh, do   | 208, 213, 223, 226, 231, 236, 242, 250 |
| Tax, state, committee of finance directed to report on the subject, and proceedings, 96, 134 |  |
| report of, 134, (Doc. 205,) 226, 228, 238  |  |
| Treasurer of the state appointed, .....  | 97                                     |
| Two-third question decided, .....  | 122                                    |
| Toll, <i>see</i> Canal toll.   |  |
| Tracy, John, appointed a Regent, .....   | 232                                    |
| accepts the appointment, .....   | 363                                    |

**U.**

Ulster county, pet. to alter the terms of the courts of, ..... 88  
University, *see* Regents.  
United States, claims of this state against, proceedings thereon, 196,  
(Doc. 315,) 215, 220  
Underwood, Nathan, pet. of, for relief, ..... 214, 271, 304, 316

**W.**

**Wool, Margaret, pet. of, for bounty lands, . . . . . 67, 69, 77**  
**Watervliet turnpike co. pet. of, to amend charter, .. 53, 67, 73, 96**  
**Wills, bill relative to the proof of, of personal property, .. 86, 104**  
**Wilkie, Thomas, pet. of, for an extension of time to collect taxes, 95**  
**Westfield, pet. of inhabitants of town of, relative to fishing in certain waters, 104**  
**Wetmore, Edmond A. pet. to be enabled to procure proof of Lord Selkirk's will, 124, 309**  
**Weights and measures, report of the Secretary of State on the subject, &c. 124, (Doc. 188,) 133, 138**  
**Windham and Durham turnpike co. *see* Turnpike.**  
**Wasson, Lemuel, pet. to execute his bond of office, 191, 195, 233, 265, 268**  
**Wood creek, report of damages awarded to owners of land in the valley of, 219**

**Y.**

**Yates, John B.** memorial for legislative aid to a literary institution at Chitteningo, (Doc. 39,) 51, 91, (Doc. 124,) 144, 169

